



Pitt Press Series

BURKE

CONCILIATION WITH AMERICA

CAMBRIDGE UNIVERSITY PRESS  
London: FETTER LANE, E.C  
C F CLAY, MANAGER



Edinburgh 100, PRINCES STREET  
Berlin A ASHER AND CO.  
Leipzig F A BROCKHAUS  
New York: G P PUTNAM'S SONS  
Bombay and Calcutta. MACMILLAN AND CO, LTD

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EDMUND BURKE

SPEECH  
ON  
CONCILIATION WITH AMERICA

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CENTURY," "ENGLAND UNDER THE TUDORS," ETC.

CAMBRIDGE:  
at the University Press

1912

Cambridge:  
PRINTED BY JOHN CLAY, M A  
AT THE UNIVERSITY PRESS.

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## INTRODUCTION.

### PART I.

#### EDMUND BURKE

##### § I *Biographical Outline*

EDMUND BURKE was born in Dublin in 1730, his father being an attorney in good practice. In 1743 he entered at Trinity College, Dublin, where he took his degree in 1748, without special distinction, since he was guided in his studies by his own literary appetites and tastes rather than the correct University curriculum. Two years later he made his appearance in London, having the English Bar in view, but again he followed his own natural aptitude for letters instead of restricting his attention to legal studies.

The first recorded outcome of these pursuits was the publication of his *Vindication of Natural Society*, a skit on Bolingbroke's political philosophy, so ingeniously ironical that in some quarters it was accepted as a sincere exposition of the author's genuine views. This work appeared anonymously, but was followed at no long interval by the famous *Enquiry concerning the Sublime and Beautiful*, an interesting but by no means convincing essay in aesthetics.

In the next year—1757—Burke married, and in due time his son Richard was born. The Christmas of 1758 was a notable date in his life, as on that day he dined for the first time with Samuel Johnson, Garrick being their host. In

1759 he started, in conjunction with the publisher D'Orcy, the famous compilation known as the *Annual Register*, to which he continued to be a leading contributor for the rest of his life.

The notice which Burke's writings attracted led William Gerald Hamilton, then Irish Secretary, to give him the post of private secretary in 1761. The next two years were spent in Dublin, and Hamilton obtained him a pension for his services, but when Burke found that this was looked upon by Hamilton as giving him an unlimited and exclusive right to the use of Burke's time and brains, there was a violent quarrel, Burke throwing up the pension. Returning to London he became one of the earliest members of the "Literary Club" founded in 1764 by Johnson and Reynolds, remaining always one of the most prominent figures in the Johnsonian circle. It was partly owing to this that he was next year recommended to Rockingham as private secretary on the formation of the Rockingham ministry. From this time forward politics absorbed him. He was provided with a seat for Wendover in the Parliament which opened in Jan 1766, and though he left Wendover for Bristol in 1774, and Bristol for Melton in 1780, he continued a member of the House till 1794, when he vacated his seat in favour of his son.

In 1763, the Peace of Paris had terminated the great war which expelled the French power from America and from India, and incidentally established a British Mercantile Company as lords of the great provinces of the Lower Ganges and as the dominating force in the Deccan. In this new and growing Dominion Burke at all times took the keenest interest, and though the sources of his information were sometimes misleading, and brought him occasionally to wrong and unjust conclusions in matters of detail, he had such a grasp of the subject as no one else possessed who had not actually been in India. Whenever Indian affairs were to the fore in England, he played a leading part, and some of his greatest oratorical efforts are to be found among

the Indian speeches. But it was only at intervals that Parliament turned its attention to the East. In 1766 and for many years to come the American troubles were insistent, since, having driven out our foreign rivals, Britain had already, guided by George Grenville, embarked on the course which made direct for disruption. But the chaos of parliamentary parties, the personal intrigues, the kaleidoscopic permutations and combinations and dissolutions of groups and sections, the King's overt or covert but always unremitting manœuvres to acquire ascendancy, forced themselves upon the politician in Parliament with a persistency which obscured and complicated all other issues. Even Burke himself perforce became not the leader but the mouthpiece of a small and not otherwise brilliant group, which was indeed in power at the moment of his *début* in the House, but after a few months was relegated to the shades of opposition for sixteen momentous years—the years which witnessed a practical restoration of the supremacy of the Crown, when Lord North became Prime Minister in 1770, and the loss of the American colonies. To these years belong Burke's pamphlets on *The State of the Nation* (1769), and *The Present Discontents* (1770), with the two great speeches contained in this volume, (1774 and 1775), and the *Letter to the Sheriffs of Bristol* (1777).

The fall of North's ministry in 1782 compelled the King to send for Rockingham, under whom Burke took office as Paymaster of the Forces. Charles James Fox and Shelburne were the Secretaries of State. Four months later, Rockingham died, Shelburne became Prime Minister. Fox, Burke, and others resigned, and early the next year the world was astonished by a coalition between Fox and North which drove Shelburne out of office, and provided a new ministry with Lord Portland as its nominal head. Burke again became Paymaster, but again the administration—owing this time to the action of the King and his friends in the House of Lords—lasted less than a year. Young William Pitt accepted the post of Prime Minister, and on the dissolution

in the spring of 1784 was returned to power with an overwhelming majority behind him

Until the French Revolution created a hopeless breach between them, Burke and Fox worked together in the closest political union. Fox's India Bill of 1783 had brought about the downfall of the Coalition ministry. It had itself been the outcome of the anomalous conditions under which for ten years Warren Hastings had striven to establish the British dominion on a secure basis. Indian affairs came to the front. Burke was active against Hastings, who had been recalled. His great speech on the *Nabob of Arcot's Debts* was made in 1785, and that on the *Impeachment of Warren Hastings* in 1787.

But with 1789 came the French Revolution, and from that time to the end of his life Burke's whole soul was absorbed in combating that Revolution and its children. From 1790, which saw the publication of the *Reflections on the French Revolution*, to 1796 when the *Letters on a Regicide Peace* appeared, hostility to it was the keynote of all Burke's utterances, and the former champion of American and British liberties became the foremost champion of every institution which in the name of Liberty the forces now let loose were threatening to sweep away. But a personal loss which fell upon him in 1794 so crushed him as undoubtedly to shake his vast intellectual powers. His son Richard, in whom all his hopes were centred, dying in that year. Three years later, in July, 1797, he followed his son to the grave.

### § 2. *Appreciation.*

The fame of Edmund Burke rests upon his achievement as a political thinker and as an orator. Neither his non-political essays in literature nor his record as a party politician in the House of Commons would entitle him to a place in the front rank, even of his contemporaries in those fields of energy. But his printed speeches and disquisitions on political affairs, whatever faults may be found in them, remain

as a storehouse of wisdom, and as masterpieces of rhetorical exposition.

This holds good in spite of the apparent paradox that persons holding the most antagonistic views on current questions find eloquent justification for their doctrines in his pronouncements, and the attitude of his later years is often held to be in flat contradiction to his earlier position. The paradox is more apparent than real. Burke himself was absolutely sincere in the conviction of his own essential consistency throughout his career. As a Whig of the Revolution, he fought the coercive and monarchical policy of a Grenville, a Townshend, or a North; as a Whig of the Revolution, he fought what seemed to him the violent and anarchical principles with which the new Whigs were being inoculated by the new Revolution in France. "Return to the old paths" is the burthen of his appeal on behalf of Conciliation with America, "stand fast in the old ways" is the burthen of his appeal *from the new to the old Whigs*. As a matter of course, the attack from a new quarter demands a change of front, but that does not involve a shifting of the ground. Unless we are prepared to maintain that the Revolution of 1789 was the logical corollary of the Revolution of 1688, no inconsistency is implied. The ancient liberties were threatened by one class of innovators, the ancient authorities by another; to both Burke was in unqualified opposition—to the first strenuously, to the second passionately.

We are not here concerned with the question whether Burke was correct in his diagnosis of the motives of the French Revolution or in his estimate of its tendencies. The point is that having arrived at that diagnosis and that estimate, the principle which had led him to support the American colonists drove him with a yet fiercer urgency to battle with all his might against it, in spite of the fact that Boston and Paris alike appealed to the sacred name of Liberty.

More than once a parallel has been drawn and more than

once challenged, between this change of front on Burke's part, and the change of front on the part of Erasmus and his English friends, notably Sir Thomas More, when Luther rose up against the Papacy. The parallel holds. So far as he recognised in the ecclesiastical system innovations on the pure teaching of the Church, More was a Reformer; he desired to go back to the ancient ways. But when among the innovations Luther included doctrines which in More's eyes were fundamental, and when in Germany an attempt at a social revolution was ostensibly based on the new teaching, the author of the *Utopia* adopted a line which classed him with the reactionaries, and he who had made Toleration a first principle in his ideal Commonwealth was fain to crush heresy by the heavy hand of the Law. More stood for the Church as Burke stood for the Constitution. He would have had Clerical innovations done away, as Burke would have had Tyrannical innovations done away. But when a new set of innovations threatened, which seemed to cut at the roots of all lawful authority, he like Burke found the new danger more appalling than the old. The principle, the motive, actuating both men was the same. Whether the judgment of both was equally at fault may be matter of opinion, but an error of judgment does not involve inconsistency of principle<sup>1</sup>.

Here then is to be found Burke's cardinal rule. in a dread of innovation. If there are tares among the wheat, we are not to drag them both up and sow the field afresh, it is better to let the wheat and the tares grow together. If it be practicable to weed out the tares, good, but in any case, the wheat must not be destroyed in order to get rid of the

<sup>1</sup> It may be noticed in passing, though the remark is not strictly relevant to the point under discussion, that More would have urged a difference between Utopian and European conditions. Authority rested on a different foundation. The Utopians could appeal to no Divine Revelation, the Church, in More's view, most emphatically could. The argument which demanded toleration of diversities in one case ceased to apply in the other.

tates.<sup>4</sup> To escape from the dangerous realm of metaphor, even the reform of abuses, unless they are flagrant, is to be set about with caution, but radical changes, constructive as well as destructive, are inevitably fraught with such danger as in effect to demand prohibition. This may be laid down as Burke's controlling practical principle.

Intimately associated with this principle is Burke's attitude towards all speculative theorising in politics. We live under a system which has stood the test of time, a system not ideally perfect, and containing many anomalies, but still one which has given this country on the whole a government several degrees better than has been enjoyed by any other modern State. It is a compromise based on the fact that human nature is composed of logically discordant elements, that there are diversities of gifts, diversities of mental and moral capacity, in infinitely varying proportions of combination, from which it follows that a certain amount of play must be given to apparently contradictory principles, which cannot be simultaneously carried out to their logical conclusions and at the same time cannot be excluded. Hence there may be a disastrous excess of logic in politics, and the logical perfection of an ideal system or of a scheme of reform is almost enough of itself to carry condemnation. The practical statesman therefore will not turn for guidance to Plato or Harrington or Rousseau. The Constitution is to be maintained not because it is a free system, or a democratic system, or an aristocratic system, but because it has been a natural growth.

This fundamental Conservatism of Burke's—the term is not of course used in a party sense—is obviously a leading factor in determining his attitude to the French Revolution. It is necessarily less so in connexion with Indian affairs, for the position of a British Government on Indian soil was absolutely without precedent. The conditions had no parallel. A huge experiment had been forced upon us, and as a huge experiment it had to be accepted. The Conservatism which set its face against experiments altogether was

here, so to speak, out of court. But it is no less the determining factor in Burke's opposition to what was in effect Tory policy in England and America than in his opposition to Jacobinism. The two speeches in this volume are permeated with it. The right of taxation through representatives only is inherent in the Constitution, therefore it is to be maintained, as it was maintained by the Barons in the days of King John and by Hampden in the days of Charles I. Grenville's and Townshend's taxes are to be repudiated as innovations. We never treated the colonists so before 1764. The taxes are an experiment, exemplifying in a very palpable manner the danger of experiments, and not the less dangerous because they can be defended as the logical corollary of imposing trade regulations. Trade regulations are a part of Constitutional practice, taxes are not. The appeal to logical consistency is irrelevant in the eyes of a practical statesman.

Now this Conservatism is in no wise opposed to Reform, that is, to the removal of abuses. On the contrary, wherever it recognises an abuse it seeks its abolition, for an abuse, even though of long standing, is in the nature of an innovation; not a natural growth but a disease. On the other hand it declines to condemn anomalies as abuses merely because they are anomalous, since a development which did not produce anomalies would *ipso facto* stand condemned as unnatural and in some degree vicious. Besides, the weapon with which you attack an anomaly as such, is apt to prove two-edged. If, for instance, you claim the right of Taxation as a corollary to that of Trade regulation, you may be answered by a repudiation of the right of Trade regulation. But any encroachment on authority or on liberty is—with due precaution—to be done away.

Beyond all question, then, Burke was in his own eyes a Reformer, one who had no notion of standing still least of all a reactionary. That he was a reformer in practice is moreover amply borne out by the plain facts. Most of his life, he was actually fighting abuses which had already

become, or threatened to become, established. And for the greater part of the time, these were the abuses of power and privilege, curtailments of liberty, corruptions of justice. But in his later years he was fighting against abuses which threatened to come in from the other side, abuses which in his view involved a danger to the lawful Authority which is the complement of Liberty. He examined the history of the British State and of other States, and he found therein the guiding principle that the condition of a healthy government lies in Authority acting under restraints and with a sense of responsibility. The innovations, those alike which tend to subvert authority and to remove its restraints, are a danger to the community; and these alone are the abuses which a reformer will recognise and deal with, if he is to deserve the name of statesman.

It will of course be observed that when in practice we descend from the general proposition to the particular exemplification, the problem which the statesman has to decide is precisely whether the specific measure is a proper or an improper exercise of authority, or whether it is subversive of authority or a necessary check on it. When that is settled, his decision, on Burke's principles, will be unhesitating. And in settling that problem, the same principles come into play. He must not isolate the immediate question and accept the logical conclusion then arrived at, he must also be alive to its bearing on other questions and have a thorough grasp of its inception—how it came into being at all. The statesman must in other words be a historian, since history is the record of National experience. Otherwise he is a mere empiric.

The word "growth" has appeared with some frequency in the foregoing pages, and it may have occurred to the reader that Burke's theory leaves no room for growth. It may seem that we are advised to resist all change. If truth were to be found in a simple aggregation of concrete facts, that would be so. We should say "thus and thus did our fathers, and what they did we will do also." Truth, however,

funeral oration, a piece quite unsurpassed in its kind, but the speech itself perished

Burke's speeches belong to a wholly different order. They are in the form of addresses, but their conception is literary. They may be read and re-read with ever-increasing admiration and effect. Even the distinguishing, the most characteristic features of style and method, are equally prominent in those of Burke's political writings which were not orations at all. The speeches invite, they demand, study and thought. Study and thought may reveal blemishes, but bring also more decisive conviction. The orator who wishes to produce the maximum of effect on the listening audience can afford to be unconvincing to the student, but his efforts have no permanent value. But permanence is Burke's distinctive characteristic. The value of the speeches in this volume—apart from their purely historical interest—was not exhausted when the Taxation and the Conciliation of the American Colonies vanished for ever from the field of politics; they are expositions of undying political truths, applicable to problems which may confront us as well in the twentieth century as in the eighteenth.

Orations they are, and orations which did in fact impress the listeners as many of Burke's speeches did not, but as intellectual productions, they belong essentially to the same category as the "Thoughts," "Reflections," and "Letters," only with those modifications of method demanded by the form of spoken addresses.

## PART II.

### HISTORICAL SURVEY OF RELATIONS WITH THE AMERICAN COLONIES.

#### § I. *Prefatory.*

THE two speeches of Edmund Burke which are presented to the reader in this volume, were made within twelve months of each other, the first in April, 1774, the second in March, 1775. Four weeks later, the first shots in the War of Independence were fired, at the skirmish of Lexington. In the speeches, Burke not only reviews the situation at the time when they were pronounced, he also discusses in detail the stages of the quarrel, and goes with some fulness into the relations between the Mother Country and the Colonies before the quarrel began. But Burke's audience had most of them taken an active and interested part in the quarrel itself, which had been in progress for eleven years. He dealt almost entirely with facts which were within the personal knowledge of every man who listened to him, or read the speeches when they were published. To-day, those who are not already familiar with the whole story will find it of advantage to have it presented to them with an object different from the orator's, the object not of persuading or convincing, but solely of elucidating the subject of discussion.

*§ 2. The birth and growth of the American Colonies*

When Queen Elizabeth died in 1603, England had won the dominion of the seas from Spain, but as yet she had established no colony. Sundry attempts had indeed been made by Humphrey Gilbert and Walter Raleigh, but every settlement made had for one reason or another been wiped out in a year or two. Few were they who had grasped the idea of a greater England beyond the seas—the New World was regarded as a field for adventurers, whose conceptions hardly went beyond the raiding of Spanish settlements and treasure-fleets, or illusory searches for the fabled El Dorado, the golden city of Manoa.

But the Commercial instinct was not long in evolving the idea of exploiting the natural resources of the new lands by other means than those (which satisfied the Spaniard) of extracting precious metals from the soil. In 1606 a Company was formed under a charter to establish a settlement which took possession in Virginia in 1607. The new community had a regularly elaborated form of government laid down in its charter, under the ultimate control of the Crown and a Council in London, the actual administration being in the hands of a Resident Council.

In its first stages, the administrators of the Colony were appointed and sent out from home, but in 1619 the need of a real self-government had become apparent, and an Assembly of Burgesses was instituted. Six years later, the Constitution was revised. The Governor and Twelve Assistants were still appointed from home, but some of the Assistants were colonists, and the functions of the Assembly of Burgesses were enlarged. England had enough to do with her own troubles in the growing struggle between the Crown and the Parliament, and Virginia was left more and more to look after her own affairs. In effect the Colony consisted of landed proprietors born of English gentry, loyal Church of England men, and essentially aristocratic in tone and character.

Between 1620 and 1630 the Northern group of New England colonies was established by Puritan settlers who were allowed to regulate their form of worship. The Stuart Kings and their advisers were well enough pleased to be rid of them, and they were for the most part left contemptuously alone to work out their own fate after their own fashion. In due course, other regions were taken up, those to the south, akin to the Virginian type—Church of England landowners who worked their own plantations with negro slaves, those to the north, Puritan and democratic, presently absorbing the Dutch colony which became the province of New York, and including the Quaker Colony of Pennsylvania. The thirteen colonies occupied the whole east coast of North America from Florida on the south to the French territories of Acadia and Canada on the north, bounded in effect on the west by the Alleghany Mountain chain, and lived perpetually—on some at least of their borders—on guard against the great tribes of the Red men.

At the beginning, no regulations fettered their commerce, practically they were allowed to import and to export as they chose. But under the Commonwealth, Cromwell's Navigation Act required that no goods should be landed in English ports unless they were carried in English ships, the aim of the Act being the destruction of the Dutch carrying trade and its appropriation by England, and this regulation was extended to the Colonies. In this and subsequent Navigation Acts, the principle was carried further by forbidding exports from America except to English ports, or imports to America except from English ports. All this being done primarily in the interest of the English marine, and secondly in that of the English mercantile body, was regarded as a perfectly legitimate operation in the regulation of trade. It was a vast measure of protection for English merchants and shippers, securing them an exclusive market, and it restricted the Colonial markets correspondingly. But the restriction was not felt as an intolerable grievance, since in effect England in return guaranteed the defence of the Colonies against foreign

enemies, while towards that defence no direct contribution from the Colonies was demanded After 1707, "Britain" and "British" take the place of "England" and "English"

The Commercial regulations then were acquiesced in, still the acquiescence was undoubtedly in great degree due to the facilities for evading them, and to a convenient blindness on the part of Governors and officials An immense contraband trade was habitually carried on by the most respectable of citizens, whilst the authorities shut their eyes

The whole Colonial situation was however controlled by the fact that at either end of the British territory lay the French territories of New France (Canada) and Louisiana with their great rivers, the St Lawrence and the Mississippi Westward, beyond the Alleghanies, no European Power yet held sway In the earlier half of the eighteenth century, the English Colonists looked on themselves as the legitimate inheritors of this vast *hinterland*, the French, on the north and on the south, were equally determined to join hands and absorb it themselves, thus threatening completely to cut off all possibility of British expansion The French colonies had the power of France behind them, the French Government was interested in their progress, and, under such conditions, the bare idea of a revolt of the English Colonies from the Mother Country, even had the control exercised been infinitely more oppressive, would never have entered the head of any sane Colonial politician

But all this was changed in the middle decades of the century The rivalry of the British on one side, and of France and Spain on the other, in India, in North America, and in the South Seas, reached the acute stage when war provided the only possible arbitrament At the outset, Spain and Britain alone were involved, in 1744 France took up arms, in 1746, the French and British East India Companies had begun a struggle *& outrance* In 1748 the contest between the great Powers was formally suspended by the Peace of Aix-la-Chapelle; but in India the same contest passed through its really decisive stage between 1749 and

1754; open war again broke out in 1756, and in the meantime, both during the avowed war and during the professed peace, active hostilities had been going on between the French Canadians and the English Colonists.

Then from 1756 to 1763 the protagonists were at close quarters. In 1757, William Pitt became the real chief of the British administration, and the British arms swept from triumph to triumph, while the French monarchy exhausted itself by a simultaneous struggle on the Continent with Frederick the Great of Prussia. Wolfe captured Quebec, and Hawke crushed the French fleet at Quiberon in 1759, and Eyre Coote administered the *coup-de-grâce* in the Carnatic. When the war was ended, Bute, in the brief but destructive day of his predominance, flung away much that Britain had won. But Canada remained with England, France had no longer a foothold in America, and would never have the chance of making an effective invasion until she could so restore her ruined navy that it should sweep the British fleets off the seas. The French subjects of Britain in Canada might make trouble, and the Red Indians might breed temporary dangers, but for practical purposes, a complete reversal of the European situation would be necessary before the Colonists could feel active dread of a foreign foe or meet with active interference in the expansion westwards.

### § 3. *George Grenville*

Before the end of the war Pitt had resigned office, Newcastle, discontented at the loss of patronage which had been absorbed by the young king's favourite, Lord Bute, followed Pitt's example after some months, and for about a year Bute was supreme. The Peace of Paris however had hardly been signed when he too retired, and George Grenville became Prime Minister.

Grenville had been Treasurer of the Navy under Pitt's administration, and a Secretary of State under Bute. His character is effectively portrayed by Burke in the following

pages A master of forms and precedents, a quite excellent public official, he was wholly devoid of the imagination, the sympathy, and the tact necessary for one who was to control great destinies at a critical time

At the outset Grenville found himself very thoroughly occupied by his personal difficulties with George III—who could not endure the man while in complete accord with his policy—and over the first Wilkes disturbance But in 1764 he devoted his attention to the Colonies, with woeful consequences

We have seen that the Americans, having before them the perpetual danger of a stubborn conflict in which the whole power of France might be brought into play against them, acquiesced—though not without irritation—in the Navigation Acts and Customs Duties imposed on them by the Mother Country in the interests of British shippers and merchants and that, while they found these restrictions a burden, that burden was at least made tolerable by the official laxity in regard to a contraband traffic which had attained huge dimensions We have seen that by the annihilation of the French power in America, they had just been relieved from the one condition which forced them to accept a state of dependence on the Mother Country and of subservience to her interests To this must be added the fact that, superficially at least, a very warm feeling towards Britain and to the statesman who had won this triumph had been engendered amongst them Under such circumstances, the natural course for a wise statesman would have been to foster this sentiment and to use it as a means to obtaining by Acts of Grace some return for the blood and treasure expended by Britain with such beneficial results for the Colonies

To the strictly official intelligence of George Grenville no such consideration presented itself Even while he was Treasurer to the Navy he had been horrified by the immense prevalence of the contraband trade and had cried out for the strict enforcement of the Navigation Acts and the suppression

of smuggling. The war left him with a fixed conviction that France would seize the earliest opportunity to attempt the recovery of her American territories, an anticipation which, in his view, demanded the establishment of a standing army on American soil for it did not occur to him that any such attempt would be foedoomed to certain failure so long as Britain could hold her own on the seas. Also the war had saddled Britain with a huge debt, and he remarked that the Colonists who had most of all reaped the benefit had contributed only a fraction to the expenses, while there existed no cut-and-dried method by which they could be invited to make the deficiency good. For he did not recognise that the British expenditure had in great part at least been only the practical return for the restrictions on Colonial trade which had been so profitable to the community at home for a century past.

To Grenville therefore it appeared imperative to put an immediate end to the lax administration of the existing Customs, and to require a contribution from the Colonies, primarily with a view to the establishment of a standing army on American soil. Some colour had just been given to this demand by an Indian outbreak, in which the Militia of the Colonies had shown a marked inclination to leave the burden of suppression to the Regulars.

Accordingly, in 1764, instructions were issued for waging war on the contraband traffic, and vessels and officers of the British Navy were requisitioned to supplement the ordinary revenue service. A list was made of additional articles on which duty was to be levied, accompanied by the express statement that the measure was introduced for the purpose of raising revenue. And beyond this it was announced that the British Government had it in mind to impose a stamp tax, and would like to know what the Colonies thought about it. When the Colonies made their opinions on the subject perfectly clear, Grenville regretted that he could not accede to their views almost unnoticed and undebated in England, the Stamp Act was passed, receiving the Royal Assent in March, 1765.

Another Act was also passed, providing for the quartering  
the Colonies of the British troops in America

The Stamp Act was not the cause of the revolt of America,  
it gave practical legal expression, at a critical moment, to  
the attitude of mind in England which made the revolt of  
America inevitable

The Royal Assent to the Stamp Act was given only by  
omission; for the king was incapacitated by an attack of  
that malady which so pitifully shadowed his later years  
hence a Regency Bill was brought in, with a view to carrying  
on the Government in case of his prolonged illness This  
bill was the cause of a final and irremediable quarrel between  
the king himself and George Grenville Once before, in  
1763, George had appealed to Pitt to form a ministry and rid  
him of Grenville The attempt failed then, because Pitt  
conceived himself to be under such obligations to Lord Temple  
as required him to put forward the condition that Temple  
should be associated with him It failed now for the same  
reason, but the king, resolved to be rid of the obnoxious  
minister at any price, appealed in his despair to the old  
Whigs who had been driven out when Bute came in In  
the autumn a ministry was formed by Lord Rockingham,  
with whom Edmund Burke—as yet without a seat in Parliament—  
was thereupon associated as private secretary A  
seat was immediately found for Burke, who made his first  
appearance in the House when the Session opened (Dec  
'65—Jan '66)

In the meantime, Colonial feeling had become violently  
excited The measures of 1764 had aroused no little resentment,  
and the watchword “No taxation without representation” began to pass from lip to lip The mere oppressive  
regulation of trade, men said, they could tolerate within  
reasonable limits, no one would dispute that, if the British  
Parliament chose to make such regulations, they were within  
their rights But taxation for Revenue was another matter,  
whatever Colonial Charters might say, there was in practice  
no precedent for it, and the principle involved, which the

Colonists now asserted as a fundamental part of the British Constitution, was precisely that in support of which John Hampden had, more than a century ago, challenged the Crown in the name of Popular Liberty. Taxation could be imposed only by the Representatives of the taxed, a Parliament in which America was unrepresented could have no Constitutional authority to tax Americans.

When in 1765 the Stamp Tax was added, the argument from precedent was strengthened, and the opposition intensified. After all, customs duties had been habitually imposed, though not hitherto for revenue purposes, there might be some colour of excuse for their extension. But here were inland taxes being imposed without precedent, and for a purpose without precedent or justification—in no conceivable way could they be interpreted as being for the benefit of trade.

Massachusetts took the lead, inviting the other States to send delegates to a General Congress to be held at New York in October—the month before that in which the Stamp Act was to come into force. Riots began, various persons were burnt in effigy, the men who had been appointed stamp-masters, to carry out the Act, if they did not make haste to resign their posts voluntarily, found it necessary to do so for their own safety's sake after making a decent show of resistance. Nine Colonies sent their delegates to New York, six of them signed a petition to the king and a memorial to Parliament, adopting an advanced position in the denial of the Parliamentary power of taxing the unrepresented. On November 1, when the Stamp Act came into force, there were no stamp-masters, and no stamps, and, in many places, copies of the Act were carried in procession and publicly burnt.

#### § 4 *The Rockingham Ministry.*

Such was the news that was finding its way to England during the months that passed between the formation of the Rockingham ministry in the late summer and the meeting of

Parliament—to hear the address in December, 1765, and to begin active business on Jan 14th, 1766. The ministry, containing many men of sound sense and sober views, included no man of conspicuous ability. Pitt, who might have been a tower of strength, persisted in remaining outside, Burke was in a completely subordinate position and had no Parliamentary experience. The king, and the political group known as the "King's Friends," were in political agreement with the opposing school in spite of personal discords. On the question of the moment, however, the mercantile community was suffering so severely, from the dislocation of trade and the retaliatory non-importation tactics now being pursued by American Associations, that they were eager for a restoration of harmony, and Pitt was known to be ready to champion the American cause. Thus supported, ministers resolved to repeal the Stamp Act *in toto*, while, in opposition to Pitt's judgment, they conciliated the king's party and enabled Parliament to "save its face," by coupling with the Repeal a Declaratory Act, affirming that the power of taxation was nevertheless vested technically in the British Parliament—regarding it, as Burke tells us, as a right which might conceivably require to be exercised under extraordinary emergency, and therefore not to be formally abrogated. Both the Acts were passed by decisive majorities. At the same time the existing Trade Duties on many articles were largely reduced, with the effect of bringing a considerable increase to the revenue, partly owing to the extended demand, partly to the diminution of smuggling in respect of those articles.

For the moment America was undoubtedly pacified. The repeal was a striking victory, the Declaratory Act might be ignored, until its principle should again be dragged out of the sphere of abstract theory and intruded into the domain of practical politics. But the whole question of taxation, the taxation acquiesced in during the past as well as the new taxation proposed for the future, had been wantonly brought under scrutiny, and it may be doubted whether in any case

it would have remained undebated and unchallenged for any great length of time As a matter of fact, however, it was not the Colonists who reopened the quarrel

Ministers had done the best thing that it was possible under the circumstances to do, but they had effected it by a temporary combination of discordant elements. They had among them no commanding or coöordinating personality, Pitt and his immediate following still stood aloof, the king's friends were already thirsting to be rid of them, and their position was far too precarious to last Once again King George sent for Pitt, to implore him to take up the burden of Government. and this time Pitt consented.

### § 5. *The Grafton Administration*

The new ministry is vividly and satirically described by Burke Pitt attempted to put in practice his favourite theory of Government without Party There were in it personal adherents of his own, such as Pratt, who became Lord Camden, and Shelburne There were members of the Rockingham group, such as Conway and Grafton, who was nominally at the head of the administration, there were King's Friends, there were members of every Whig section, and there was Charles Townshend as Chancellor of the Exchequer, versatile, brilliant, wholly without ballast Then Pitt destroyed his own influence in the country by accepting the Earldom of Chatham, his position as the Great Commoner vanished And to make disaster certain, the gout from which he suffered terribly attacked him with a virulence which totally wrecked his nerves and his capacity for business The Chatham administration was an administration without Chatham

Townshend immediately took the lead; his colleagues were either in actual sympathy with his views, or else were as sheep having no shepherd, and were persuaded into supporting or at least not openly opposing him Townshend announced his adherence to the theory of the Stamp Act and

of taxing America for Revenue, and he proceeded forthwith to impose fresh import duties. Five of the articles chosen were trivial, the sixth was of considerable commercial importance, but acquired a preposterously exaggerated significance because it was selected as emblematic of a principle. A tax was laid at the American ports on tea.

Even that tax did not actually impose any additional burden on the Colonists for it was accompanied by a drawback on embarkation at the British ports. On the other hand, the whole revenue estimated as likely to accrue from the new taxes was merely £40,000. As a question of pounds, shillings, and pence, the thing was almost too insignificant for discussion. But it implied that the status of the Colonies was one of subjection; that they were without those rights of citizenship for which Hampden had fought. The effect of the repeal of the Stamp Act was wiped out.

Within a very few months of his fatal achievement—Sept 1767—Charles Townshend died but the policy of the ministry remained. Some of its members were restive, and Lord Hillsborough, an uncompromising supporter of Townshend, took Shelburne's place as Secretary for the Colonies. Lord North took the place vacated by Townshend. There was a General Election in 1768, and ministers were returned, but Wilkes was returned for Middlesex, and the consequent battle of the Middlesex elections absorbed parliamentary attention. Near the close of the year Shelburne resigned, and was immediately followed by Chatham himself.

In the meantime, however, the new taxation had produced its natural result in America. As usual, Boston took the lead. The Massachusetts Assembly drew up a petition to the king, and also a circular letter for publication in England, moderate in tone but emphatically protesting against Parliamentary Taxation. Such legitimate action was accompanied by the revival of non-importation agreements and associations, and by an openly paraded defiance of the Custom-house authorities. One after another, the Colonial Assemblies passed resolutions condemning the action of the

British Government, and were dissolved Massachusetts, deprived of its Assembly, called a Convention to take its place and when troops arrived from England, requisitioned by Governor Bernard, Boston refused to quarter them

Parliament responded early in 1769 by addresses condemning the conduct of the Colonies, and by the notable resolution introduced by Bedford advocating the application of a law of Henry VIII for the removal of the trial of offenders under the Treason Laws to England a proposal which violently inflamed American sentiment. The Cabinet, however, now arrived at the amazing decision formulated in Lord Hillsborough's letter, cited by Burke, to withdraw five out of Townshend's six taxes, but to retain that upon tea. About the turn of the year Grafton and Camden both resigned, and Lord North became Prime Minister

### § 6 *Lord North's Administration*

It was a mere accident that the inauguration of the new Government in England, and the repeal of the five taxes foreshadowed by Lord Hillsborough, were accompanied by an unfortunate affray in Boston, where some of the British soldiery, under severe provocation, fired on the mob, killing three men and wounding others. Even a Boston jury practically acquitted the troops, which was to their credit, nevertheless the incident was magnified by demagogues and by the popular voice into a "massacre", and as the Boston Massacre it holds its place in history

After this, however, there followed a lull—but it was only superficial. In 1772 a royal schooner, named the Gaspee, in pursuit of a smuggler, ran into shoal water and was boarded and burnt, at Providence, Rhode Island. The Colonists stubbornly refused to buy the tea which it was attempted to import. Correspondence Committees were established everywhere—beginning with Boston—during 1773, for the purpose of conducting an organised opposition to the official government. In sundry ports no tea from England was allowed to

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be\*landed, and finally on Dec 16, 1773, the tea-ships in Boston harbour were deliberately boarded and emptied into the sea in the presence of an applauding multitude. The feeling on both sides, in England as well as in America, had been greatly embittered by the very questionable conduct of Benjamin Franklin, who was at this time in London as agent for four of the Colonies. Hutchinson, who had followed Bernard as Governor of Massachusetts, and his kinsman, the Chief Justice Oliver, in private correspondence with George Grenville's secretary, Mr Whately, between 1767 and 1769, had expressed their views on the situation with frankness. After Whately's death, those letters, by some unexplained means, indubitably illicit, passed into Franklin's hands. Hutchinson and Oliver, both Americans but both loyalists, were already unpopular. Franklin sent the letters to America where they were published, arousing violent indignation against the Governor and the Chief Justice, while in England people did not hesitate to describe Franklin's action in the most opprobrious terms.

The result was that early in 1774 four Acts were passed in England, all of a coercive character. Three of these were directed specifically against Massachusetts and Boston. The first was the Boston Port Act, closing the port entirely, and forbidding therein the discharge of any cargoes whatever. The next removed from Massachusetts the trial of any officer of Justice or otherwise, against whom indictments should be brought for acts done in the discharge of his public duties. The third practically cancelled the Massachusetts Charter. The fourth was a general Quartering Act, passed at the instance of General Gage on his appointment as Hutchinson's successor in the Governorship of Massachusetts. A fifth Act also caused great offence in the Colonies, though the measure in itself was wise and legitimate. This was the Quebec Act, regulating the Province of Canada largely on the lines of the French system to which the great mass of the population were accustomed, and virtually establishing the Roman Catholic religion of which they were in the main adherents.

But the Puritan and Democratic States of New England ~~not~~ unnaturally took alarm both at the religious and the political constitution of the Province which lay in such close proximity to them.

The Boston Port Bill received the Royal Assent on March 31st. In a desperate attempt to effect something to counteract its harshness, Rose-Fuller, on behalf of the Rockinghams, a few days later brought on that motion for the repeal of the Tea Duty in support of which Burke delivered the speech on "American Taxation". The motion was of course badly beaten. Eleven months later, Burke moved his own Resolutions for "Conciliation with America" in the speech which bears that title. In the interval, American resistance had concentrated itself in a "Continental Congress" which met at Philadelphia to draw up a Declaration of Rights, and to denounce the whole series of Government measures. Massachusetts refused to recognise the abrogation of its Charter, when the new Council was called under the new system, most of its members declined or resigned office, the judges were not allowed to sit and although the Governor cancelled the Writs for the Assembly, the elections were held and the Assembly itself met in the usual way. A Committee of Supplies was formed, and a Committee of Public Safety to organise armed resistance. In England, Lord North, in Feb 1775, by way of an attempt at reconciliation, moved and carried his proposals for what Burke called "ransom by auction," promising to withdraw all Revenue taxes from such Colonies as should volunteer an adequate contribution to the Exchequer in their place a proposal so impossible to work that no one in America gave it serious consideration. Three weeks later, Burke's resolutions were rejected, and before another month was completed, the War was initiated by the skirmish of Lexington.



SPEECH  
OF  
EDMUND BURKE, Esq.  
ON  
MOVING HIS RESOLUTIONS  
FOR  
CONCILIATION  
WITH THE COLONIES

MARCH 22, 1775.

[Second Edition Dodsley, 1775.]



## ON CONCILIATION WITH AMERICA.

I HOPE, Sir, that notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence towards human frailty You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, 5 should be somewhat inclined to superstition As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal Bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to 10 us from the other House I do confess, I could not help looking on this event as a fortunate omen I look upon it as a sort of providential favour; by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its 15 nature, so very uncertain in its issue By the return of this Bill, which seemed to have taken its flight for ever, we are at this very instant nearly as free to chuse a plan for our American Government as we were on the first day of the Session. If, Sir, we incline to the side of 20 conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint We are therefore called upon, as it were by a superior warning voice, again to attend to America, to attend to the whole of it together, and 25 to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honour of a seat in this House, the affairs of that Continent pressed themselves upon us, as the most important and most delicate object of Parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust, and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our Colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable, in order, amid so vast a fluctuation of passions and opinions, to concenter my thoughts, to ballast my conduct, to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason; it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justi-

fied in a particular person upon the contracted style of private<sup>\*</sup> information But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted—that under them the state of America has 5 been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper, until, by a variety of experiments, that important Country has been brought into her present 10 situation,—a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description

In this posture, Sir, things stood at the beginning of the Session. About that time, a worthy Member of 15 great Parliamentary experience, who, in the year 1766, filled the chair of the American Committee with much ability, took me aside, and, lamenting the present aspect of our politicks, told me, things were come to such a pass, that our former methods of proceeding in 20 the House would be no longer tolerated That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity That the very vicissitudes and shiftings of Ministerial measures, instead of con- 25 victing their authours of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy, whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The 30 publick, he said, would not have patience to see us play the game out with our adversaries. we must produce

our hand It would be expected, that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of Colony Government, and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

I felt the truth of what my Honourable Friend represented, but I felt my situation too His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far into his opinion, that I immediately threw my thoughts into a sort of Parliamentary form, I was by no means equally ready to produce them It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard Plans of Government, except from a seat of Authority Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception, and for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of Paper Government; nor of any Politicks, in which the plan is to be wholly separated from the execution But when I saw that anger and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our Colonies, I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to a higher duty.

Public calamity is a mighty leveller, and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most inconsiderable person

To restoie order and repose to an Empire so great 5 and so distracted as ours, is, merely in the attempt, an undertaking that would ennable the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding Struggling a good while with these thoughts, by degrees I felt myself more firm I derived, 10 at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance For, judging of what you are, by what you ought to be, I persuaded myself that you would not reject a reasonable 15 proposition, because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure, that, if my proposition were futile or dangerous, if it were weakly conceived, or improperly 20 timed, there was nothing exterior to it, of power to awe, dazzle, or delude you You will see it just as it is, and you will treat it just as it deserves.

The proposition is Peace. Not Peace through the medium of War, not Peace to be hunted through the 25 labyrinth of intricate and endless negotiations; not Peace to arise out of universal discord, fomented, from principle, in all parts of the Empire, not Peace to depend on the Juridical Determination of perplexing questions, or the precise marking the shadowy boundaries of a complex Government It is simple Peace; sought in its natural course, and in its ordinary haunts

—It is Peace sought in the Spirit of Peace; and laid in principles purely pacific. I propose, by removing the Ground of the difference, and by restoring the *former unsuspecting confidence of the Colonies in the Mother Country*, to give permanent satisfaction to your people, and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British Government.

10 My idea is nothing more Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the  
15 Government of Mankind. Genuine Simplicity of heart is an healing and cementing principle. My Plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it It has nothing to recommend it to the piuriency  
20 of curious ears There is nothing at all new and captivating in it. It has nothing of the Splendor of the Project which has been lately laid upon your Table by the Noble Lord in the Blue Ribband. It does not propose to fill your lobby with squabbling Colony  
25 Agents, who will require the interposition of your Mace, at every instant, to keep the peace amongst them. It does not institute a magnificent Auction of Finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the  
30 hammer, and determine a proportion of payments beyond all the powers of Algebra to equalize and settle.

The plan which I shall presume to suggest, derives,

however, one great advantage from the proposition and registiy of that Noble Lord's Project The idea of conciliation is admissible First, the House, in accepting the resolution moved by the Noble Lord, has admitted, notwithstanding the menacing front of our Address, 5 notwithstanding our heavy Bills of Pains and Penalties —that we do not think ourselves precluded from all ideas of free Grace and Bounty.

The House has gone farther; it has declared conciliation admissible, *previous* to any submission on the 10 part of America It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the Right of Taxation were not wholly unfounded. That right thus exerted is allowed to have something reprehensible in it, something unwise, 15 or something grievous, since, in the midst of our heat and resentment, we, of ouiselves, have proposed a capital alteration, and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new, one that is, indeed, wholly alien from 20 all the ancient methods and forms of Parliament

The *principle* of this proceeding is large enough for my purpose. The means proposed by the Noble Lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end, and this I shall 25 endeavour to show you before I sit down. But, for the present, I take my ground on the admitted principle I mean to give peace Peace amplies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the 30 one part or on the other. In this state of things l make no difficulty in affirming that the proposal ought to

originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honour and with safety. Such an offer  
5 from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior, and he loses for ever that time and those chances, which, as they happen to all men,  
10 are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide are these two. First, whether you ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained  
15 (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgement, I think  
20 it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America, according to that nature, and to those circumstances, and not  
25 according to our own imaginations; nor according to abstract ideas of right, by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your  
30 leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

THE first thing that we have to consider with regard to the nature of the object is—the number of people in the Colonies I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below Two Millions of 5 inhabitants of our own European blood and colour; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so 10 much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment Such is the strength with which population shoots in that part of the world, that, state the numbers as high as we will, whilst the dispute continues, the 15 exaggeration ends Whilst we are discussing any given magnitude, they are grown to it Whilst we spend our time in deliberating on the mode of governing Two Millions, we shall find we have Millions more to manage Your children do not grow faster from infancy to man- 20 hood, than they spread from families to communities, and from villages to nations

I put this consideration of the present and the growing numbers in the front of our deliberation, because, Sir, this consideration will make it evident to 25 a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object It will show you that it is not to be considered as one of those *Minima* which are out of the eye and consideration of the law, 30 not a paltry excrescence of the state; not a mean dependant, who may be neglected with little damage,

and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object, it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt, and be assured you will not be able to do it long with impunity.

BUT the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person, at your bar. This gentleman, after Thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail; if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence if you will look at the subject,

it is impossible that it should not make an impression upon you.

I have in my hand two accounts, one a comparative state of the export trade of England to its Colonies, as it stood in the year 1704, and as it stood in the year 1772.<sup>5</sup> The other a state of the export trade of this country to its Colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the Colonies included) in the year 1704. They are from good vouchers, the latter period from the accounts on <sup>10</sup> your table, the earlier from an original manuscript of Davenant, who first established the Inspector-General's office, which has been ever since his time so abundant a source of Parliamentary information

The export trade to the Colonies consists of three <sup>15</sup> great branches The African, which, terminating almost wholly in the Colonies, must be put to the account of their commerce, the West Indian, and the North American All these are so interwoven, that the attempt to separate them, would tear to pieces the contexture of <sup>20</sup> the whole, and if not entirely destroy, would very much depreciate the value of all the parts I therefore consider these three denominations to be, what in effect they are, one trade

The trade to the Colonies, taken on the export side, <sup>25</sup> at the beginning of this century, that is, in the year 1704, stood thus.

Exports to North America, and the

West Indies . . . . .	$\text{£}483,265$	<sup>30</sup>
To Africa . . . . .	$\underline{86,665}$	
$\underline{\text{£}569,930}$		

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows

	To North America, and the West	
5	Indies . . . . .	£4,791,734
	To Africa . . . . .	866,398
	To which if you add the export trade from Scotland, which had in 1704 no existence . . . . .	364,000
10		<u>£6,022,132</u>

From Five Hundred and odd Thousand, it has grown to Six Millions It has increased no less than twelve-fold This is the state of the Colony trade, as compared with itself at these two periods, within this century,—and this is matter for meditation But this is not all Examine my second account. See how the export trade to the Colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704

20	The whole export trade of England, including that to the Colonies, in 1704 . . . . .	£6,509,000
	Export to the Colonies alone, in 1772	6,024,000
	Difference,	<u>£485,000</u>

25 The trade with America alone is now within less than 500,000l. of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather

have exceeded But, it will be said, is not this American trade an 'unnatural protuberance, that has drawn the juices from the rest of the body? The reverse It is the very food that has nourished every other part into its present magnitude Our general trade has been 5 greatly augmented, and augmented more or less in almost every part to which it ever extended, but with this material difference, that of the Six Millions which in the beginning of the century constituted the whole mass of our export commerce, the Colony trade was 10 but one twelfth part, it is now (as a part of Sixteen Millions) considerably more than a third of the whole This is the relative proportion of the importance of the Colonies at these two periods. and all reasoning concerning our mode of treating them must have this 15 proportion as its basis, or it is a reasoning weak, rotten, and sophistical

Mr Speaker, I cannot prevail on myself to hurry over this great consideration *It is good for us to be here.* We stand where we have an ~~v~~mense view of what is, 20 and what is past. Clouds, indeed, and darkness rest upon the future Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within Sixty-eight 25 years There are those alive whose memory might touch the two extremities For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things He was then old enough *acta parentum* 30 *jam legere, et quæ sit potuit cognoscere virtus* Suppose, Sir, that the angel of this auspicious youth, foreseeing

the many virtues, which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when, in the fourth generation the third Prince of the House of 5 Brunswick had sat Twelve years on the throne of that nation, which (by the happy issue of moderate and healing counsels) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, 10 and raise him to a higher rank of Peerage, whilst he enriched the family with a new one—if amidst these bright and happy scenes of domestic honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and, whilst he 15 was gazing with admiration on the then commercial grandeur of England, the Genius should point out to him a little speck, scarcely visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—‘Young man, there 20 is America—which at thy day serves for little more than to amuse you with stories of savage men, and uncouth manners, yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has 25 been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of Seventeen Hundred years, you shall see as much added to her by America in the course of a single 30 life!’ If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make

him believe it? Fortunate man, he has lived to see. Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, Sir, if turning from such thoughts I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for 11,459*l.* in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly Fifty times as much, for in that year the export to Pennsylvania was 507,909*l.*, nearly equal to the export to all the Colonies together in the first period.

I choose, Sir, to enter into these minute and particular details; because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our Colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object, in view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed. but I must prescribe bounds to myself in a matter so vast and various.

I PASS therefore to the Colonies in another point of view, their agriculture. This they have prosecuted with

such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded they will 5 export much more. At the beginning of the century some of these colonies imported corn from the mother country. For some time past, the Old World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child of 10 your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the Colonies have drawn from the sea by their fisheries, you had all that matter fully 15 opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what 20 in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the Whale Fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest 25 frozen recesses of Hudson's Bay and Davis's Straights, whilst we are looking for them beneath the Arctic Circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen Serpent of the south. Falkland 30 Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and

esting-place in the progress of their victorious industry  
Nor is the equinoctial heat more discouraging to them,  
than the accumulated winter of both the poles We know that whilst some of them draw the line and strike  
the harpoon on the coast of Africa, others run the longi- 5  
tude, and pursue their gigantic game along the coast of  
Brazil. No sea but what is vexed by their fisheries No  
climate that is not witness to their toils Neither the  
perseverance of Holland, nor the activity of France, nor  
the dexterous and firm sagacity of English enterprize, ever 10  
carried this most perilous mode of hardy industry to the  
extent to which it has been pushed by this recent people,  
a people who are still, as it were, but in the gristle, and not  
yet hardened into the bone of manhood. When I con-  
template these things, when I know that the Colonies in 15  
general owe little or nothing to any care of ours, and that  
they are not squeezed into this happy form by the con-  
straints of watchful and suspicious government, but that,  
through a wise and salutary neglect, a generous nature  
has been suffered to take her own way to perfection; 20  
when I reflect upon these effects, when I see how profit-  
able they have been to us, I feel all the pride of power  
sink, and all presumption in the wisdom of human con-  
trivances melt and die away within me. My rigour  
relents. I pardon something to the spirit of liberty. 25

I AM sensible, Sir, that all which I have asserted in  
my detail, is admitted in the gross, but that quite a  
different conclusion is drawn from it America, Gentle-  
men say, is a noble object It is an object well worth  
fighting for Certainly it is, if fighting a people be the 30  
best way of gaining them. Gentlemen in this respect

wil be led to their choice of means by their complexions and their habits Those who understand the military art, will of course have some predilection for it Those who wield the thunder of the state, may have more 5 confidence in the efficacy of arms But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force ; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, 10 so spirited as this, in a profitable and subordinate connexion with us

First, Sir, permit me to observe, that the use of force alone is but *temporary*. It may subdue for a moment; but it does not remove the necessity of subduing again, 15 and a nation is not governed, which is perpetually to be conquered

My next objection is its *uncertainty*. Terror is not always the effect of force, and an armament is not a victory. If you do not succeed, you are without re- 20 source; for, conciliation failing, force remains, but, force failing, no further hope of conciliation is left. Power and authority are sometimes bought by kindness, but they can never be begged as alms by an impoverished and defeated violence.

25 A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover, but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do 30 not choose to consume its strength along with our own; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy

at the end of this exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

5

Lastly, we have no sort of *experience* in favour of force as an instrument in the rule of our Colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it, and our sin far more salutary than our penitence

THESE, Sir, are my reasons for not entertaining that high opinion of untried force, by which many Gentlemen, 15 for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of 20 America, even more than its population and its commerce, I mean its *Temper and Character*

In this Character of the Americans, a love of Freedom is the predominating feature which marks and distinguishes the whole: and as an ardent is always a jealous 25 affection, your Colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of Liberty is stronger in the English 30 Colonies probably than in any other people of the earth;

and this from a great variety of powerful causes, which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

5 First, the people of the Colonies are descendants of Englishmen England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom The Colonists emigrated from you when this part of your character was most predominant; and they took this 10 bias and direction the moment they parted from your hands They are therefore not only devoted to Liberty, but to Liberty according to English ideas, and on English principles. Abstract Liberty, like other mere abstractions, is not to be found. Liberty inheres in some 15 sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of 20 Taxing Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates, or on the balance among the several orders of the state The question of money was not with them so immediate But in England it was otherwise. On 25 this point of Taxes the ablest pens, and most eloquent tongues, have been exercised, the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended 30 the excellence of the English Constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in

ancient parchments, and blind usages, to reside ~~in~~ a certain body called an House of Commons They went much farther , they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of an House of Commons, as an immediate representative of the people , whether the old records had delivered this oracle or not They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty can subsist. The Colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed Here they felt its pulse ; and as they found that beat, they thought themselves sick or sound I do not say whether they were right or wrong in applying your general arguments to their own case It is not easy indeed to make a monopoly of theorems and corollaries The fact is, that they did thus apply those general arguments ; and your mode of governing them, whether through lenity, or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles

" They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree ; some are merely popular , in all, the popular representative is the most weighty , and this share of the people in their

ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance

If anything were wanting to this necessary operation  
5 of the form of government, religion would have given it a complete effect Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit The people are protestants ; and of that kind  
10 which is the most adverse to all implicit submission of mind and opinion This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government,  
15 is so much to be sought in their religious tenets, as in their history Every one knows that the Roman Catholick religion is at least coeval with most of the governments where it prevails ; that it has generally gone hand in hand with them, and received great favour and every  
20 kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world , and could justify that opposition only on  
25 a strong claim to natural liberty Their very existence depended on the powerful and unremitting assertion of that claim. All protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our Northern Colonies is a refinement on the  
30 principle of resistance , it is the dissidence of dissent, and the protestantism of the protestant religion This religion, under a variety of denominations agreeing in

nothing but in the communion of the spirit of liberty, is predominant in most of the Northern provinces; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The 5 Colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners, which has been constantly flowing into these Colonies, has, for the greatest part, been composed of dissenters from the establishments of their 10 several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some Gentlemen object to the latitude of this description, because 15 in the Southern Colonies the Church of England forms a large body, and has a regular establishment. It is certainly true There is, however, a circumstance attending these Colonies, which, in my opinion, fully counter-balances this difference, and makes the spirit of liberty 20 still more high and haughty than in those to the Northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom Freedom is to 25 them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty 30 looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the

superior morality of this sentiment, which has at least as much pride as virtue in it, but I cannot alter the nature of man. The fact is so, and these people of the Southern Colonies are much more strongly, and with an higher 5 and more stubborn spirit, attached to liberty, than those to the Northward. Such were all the ancient commonwealths; such were our Gothick ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people, 10 the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our Colonies, which contributes no mean part towards the growth and effect of this untractable spirit I mean their 15 education. In no country perhaps in the world is the law so general a study The profession itself is numerous and powerful, and in most provinces it takes the lead The greater number of the Deputies sent to the Congress were lawyers. But all who read (and most do read), 20 endeavour to obtain some smattering in that science I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the Law exported to the Plantations. The Colonists have now fallen into the 25 way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are 30 lawyers or smatterers in law, and that in Boston they have been enabled by successful chicane, wholly to evade many parts of one of your capital penal constitutions.

The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion All this is mighty well But my Honourable and Learned Friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources In other countries, the people, more simple, and of a less mercurial caste, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle They augur misgovernment at a distance; and snuff the approach of tyranny in every tainted breeze. 20

The last cause of this disobedient spirit in the Colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this 25 distance in weakening government. Seas roll, and months pass, between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system You have, indeed, winged ministers of vengeance, who carry your bolts in their 30 pounces to the remotest verge of the sea But there a power steps in that limits the arrogance of raging

passions and furious elements, and says, *So far shalt thou go, and no farther.* Who are you, that you should fiet and rage, and bite the chains of Nature? Nothing worse happens to you than does to all nations who have extensive Empire, and it happens in all the forms into which Empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Ægypt, and Arabia, and Curdistan, as he governs Thrace; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all, and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies too; she submits, she watches times. This is the immutable condition, the eternal Law, of extensive and detached Empire.

Then, Sir, from these six capital sources; of Descent; of Form of Government; of Religion in the Northern Provinces; of Manners in the Southern, of Education; of the Remoteness of Situation from the First Mover of Government, from all these causes a fierce Spirit of Liberty has grown up. It has grown with the growth of the people in your Colonies, and increased with the increase of their wealth; a Spirit, that unhappily meeting with an exercise of Power in England, which, however lawful, is not reconcileable to any ideas of Liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the Spirit in ~~this~~ excess, or the moral causes which produce it. Perhaps a more smooth and accommodating Spirit of Freedom in them would be more acceptable to us. Perhaps ideas of Liberty might be desired, more reconcileable with an ~~5~~ arbitrary and boundless authority. Perhaps we might wish the Colonists to be persuaded, that their Liberty is more secure when held in trust for them by us, as their guardians during a perpetual minority, than with any part of it in their own hands. The question is, not ~~10~~ whether their spirit deserves praise or blame, but—what in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the ~~15~~ disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politicks, and prevent the return of such unhappy deliberations as ~~20~~ the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of ~~25~~ authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours ~~30~~. Even the popular part of the Colony Constitution derived all its activity, and its first vital movement, from

the pleasure of the Crown ' We thought, Sir, that the utmost which the discontented Colonists could do, was to disturb authority , we never dreamt they could of themselves supply it, knowing in general what an operose business it is, to establish a Government absolutely new But having, for our purposes, in this contention, resolved, that none but an obedient Assembly should sit , the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours , and theirs has succeeded They have formed a Government sufficient for its purposes, without the bustle of a Revolution, or the troublesome formality of an Election Evident necessity, and tacit consent, have done the business in an instant So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you, that the new institution is infinitely better obeyed than the antient Government ever was in its most fortunate periods. Obedience is what makes Government, and not the names by which it is called ; not the name of Governor, as formerly, or Committee, as at present Thus new Government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this , that the Colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for Liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of Government to still greater lengths, we wholly abrogated the ancient Government of Massachusett. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a compleat 5 submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without Governor, without public 10 Council, without Judges, without executive Magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed 15 infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further 20 experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to 25 prove that the Americans have no right to their Liberties, we are every day endeavouring to subvert the maxims, which preserve the whole Spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of Freedom itself, and we never 30 seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding

some of those feelings, for which our ancestors have shed their blood

But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest enquiry  
5 Far from it Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state, that, as far as I am capable of discerning,  
10 there are but three ways of proceeding relative to this stubborn Spirit, which prevails in your Colonies, and disturbs your Government. These are—To change that Spirit, as inconvenient, by removing the Causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration;  
I can think of but these three. Another has indeed been started, that of giving up the Colonies; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally  
20 of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

THE first of these plans, to change the Spirit as inconvenient, by removing the causes, I think is the most  
25 like a systematick proceeding It is radical in its principle, but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the Plans which have been proposed.

30 As the growing population in the Colonies is evidently one cause of their resistance, it was last session men-

tioned in both Houses, by men of weight, and received not without applause, that in order to check this evil, it would be proper for the Crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in 5 private hands, as to afford room for an immense future population, although the Crown not only withheld its grants, but annihilated its soil If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the 10 possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population

But if you stopped your grants, what would be the consequence? The people would occupy without grants 15 They have already so occupied in many places. You cannot station garrisons in every part of these deserts If you drive the people from one place, they will carry on their annual Tillage, and remove with their flocks and herds to another. Many of the people in the back settle- 20 ments are already little attached to particular situations. Already they have topped the Apalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possi- 25 bility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become Hordes of English Tartars; and pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters 30 of your Governors and your Counsellors, your collectors, and comptrollers, and of all the Slaves that adhered to

them. Such would, and, in no long time, must be the effect of attempting to forbid as a crime, and to suppress as an evil, the Command and Blessing of Providence, *Encrease and Multiply*. Such would be the happy result of 5 the endeavour to keep as a lair of wild beasts, that earth, which God, by an express Charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts, that the ruling power should never be 15 wholly out of sight. We have settled all we could, and we have carefully attended every settlement with government.

Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of 20 hedging-in population to be neither prudent nor practicable.

To impoverish the Colonies in general, and in particular to arrest the noble course of their marine enterprizes, would be a more easy task. I freely confess it. 25 We have shown a disposition to a system of this kind, a disposition even to continue the restraint after the offence; looking on ourselves as rivals to our Colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The 30 power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the Colonies to resist our violence

as very formidable. In this, however, I may be mistaken. But when I consider, that we have Colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous, to make them un-serviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course, that discontent will increase with misery, and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt*

15

The temper and character which prevail in our Colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth, to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican Religion, as their free descent, or to substitute the Roman Catholick, as a penalty, or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World, and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion

YOU cannot persuade them<sup>1</sup> to burn their books of curious science, to banish their lawyers from their courts of laws, or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit. The army by which we must govern in their place, would be far more chargeable to us, not quite so effectual; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratick spirit of Virginia and the Southern Colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists, yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves, and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? from that nation, one of whose causes of quarrel with those masters is

their refusal to deal any more in that inhuman traffick? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would 5 be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The Ocean remains. You cannot pump this dry, 10 and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. '*Ye gods, annihilate but space and time, And make two lovers happy!*'—was a pious and passionate prayer, but just as reasonable, as many of the serious 15 wishes of very grave and solemn politicians.

If then, Sir, it seems almost desperate to think of any alterative course, for changing the moral causes, and not quite easy to remove the natural, which produce 20 prejudices irreconcileable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects as now embarrass us, the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal* 25

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on 30 the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state,

and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great Empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of Millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Rawleigh) at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am I really think, that for wise men, this is not judicious, for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, Sir, I am mistaken in my idea of an Empire, as distinguished from a single State or Kingdom. But my idea of it is this, that an Empire is the aggregate of many States under one common head, whether this head be a monarch, or a presiding republick. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often, too, very bitter disputes, and much ill blood, will arise. But though every privilége is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex termino*, to imply a superior power. For to talk of the

privileges of a State, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more compleatly imprudent, than for 5 the Head of the Empire to insist, that, if any privilege is pleaded against his will, or his acts, his whole authority is denied, instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make 10 no distinctions on their part? Will it not teach them that the Government, against which a claim of Liberty is tantamount to high-treason, is a Government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities 15 with such an idea.

We are indeed, in all disputes with the Colonies, by the necessity of things, the judge. It is true, Sir. But I confess, that the character of judge in my own cause is a thing that frightens me. Instead of filling me with 20 pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as 25 these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir let me add too, that the opinion of my having some abstract right in my favour, would not put me much at my ease in passing sentence, unless I could be sure, 30 that there were no rights which, in their exercise under certain circumstances, were not the most odious of all

wrongs, and the most vexatious of all injustice Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right; and a culprit before me, while I sit as a criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations, but Justice is the same, let the Judge be in what situation he will.

There is, Sir, also a circumstance which convinces me, that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachuset's Bay, as they had formerly addressed to have Traitors brought hither, under an Act of Henry the Eighth, for Trial. For though rebellion is declared, it is not proceeded against as such, nor have any steps been taken towards the apprehension or conviction of any individual offender either on our late or our former Address, but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which,

for the time, have been severe and numerous? What advances have we made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less—When I see things in this situation, after such 5 confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right

IF then the removal of the causes of this Spirit of American Liberty be, for the greater part, or rather 10 entirely, impracticable, if the ideas of Criminal Process be inapplicable, or if applicable, are in the highest degree inexpedient, what way yet remains? No way is open, but the third and last—to comply with the American Spirit as necessary, or, if you please, to submit 15 to it as a necessary Evil

If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be; to ascertain the nature of our concession, we must look at their complaint The Colonies complain, 20 that they have not the characteristic Mark and Seal of British Freedom. They complain, that they are taxed in a Parliament, in which they are not represented If you mean to satisfy them at all, you must satisfy them with regard to this complaint If you mean to please 25 any people, you must give them the boon which they ask, not what you may think better for them, but of a kind totally different Such an act may be a wise regulation, but it is no concession, whereas our present theme is the mode of giving satisfaction.

SIR, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true, I put it totally out of the question. It is less than 5 nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the Policy of the question. I do not examine, whether 10 the giving away a man's money be a power excepted and reserved out of the general trust of government, and how far all mankind, in all forms of Polity, are entitled to an exercise of that Right by the Charter of Nature. Or whether, on the contrary, a Right of Taxation is 15 necessarily involved in the general principle of Legislation, and inseparable from the ordinary Supreme Power. These are deep questions, where great names militate against each other, where reason is perplexed, and an appeal to authorities only thickens the confusion. For 20 high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the *great Serbonian bog, Betwixt Damiata and Mount Casius old, Where armies whole have sunk*. I do not intend to be overwhelmed in that bog, though in 25 such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not, what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to 30 do. Is a politic act the worse for being a generous one? Is no concession proper, but that which is made from your want of right to keep what you grant? Or does it

lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of Titles, and your magazines stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of 5 the thing tells me, that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons?

Such is stedfastly my opinion of the absolute necessity of keeping up the concord of this Empire by an unity of 10 spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude, that they had solemnly abjured all the rights of citizens, that they had made a vow to renounce all Ideas of Liberty for 15 them and their posterity to all generations, yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two million of men, impatient of Servitude, on the principles of Freedom. I am not determining a point of law, 20 I am restoring tranquillity, and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we 25 yield as matter of right, or grant as matter of favour, is to admit the people of our Colonies into an interest in the Constitution, and, by recording that admission in the Journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that 30 we mean for ever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the Repeal of a Revenue Act, upon its understood principle, might have served to show, that we intended an unconditional abatement of the exercise of a Taxing Power. Such a measure was then sufficient  
5 to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary, and not more necessary for the satisfaction of the Colonies, than for the dignity and consistency of our own future proceedings.

10 I HAVE taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike I think, Sir, we have few American Financiers But our misfortune is, we are too acute, we are too exquisite in our conjectures for the future, for  
15 men oppressed with such great and present evils The more moderate among the opposers of Parliamentary Concession freely confess, that they hope no good from Taxation, but they apprehend the Colonists have further views, and if this point were conceded, they would  
20 instantly attack the Trade Laws These Gentlemen are convinced, that this was the intention from the beginning; and the quarrel of the Americans with Taxation was no more than a cloak and cover to this design Such has been the language even of a Gentleman of real  
25 moderation, and of a natural temper well adjusted to fair and equal Government. I am, however, Sir, not a little surprized at this kind of discourse, wheneyér I hear it, and I am the more surprized, on account of the arguments which I constantly find in company with  
30 it, and which are often urged from the same mouths, and on the same day

For instance, when we alledge, that it is against reason to tax a people under so many restraints in trade as the Americans, the Noble Lord in the blue ribband shall tell you, that the restraints on trade are futile and useless, of no advantage to us, and of no burthen to 5 those on whom they are imposed, that the trade to America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the Trade Laws in this posture 10 of the debate But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the Colonies , 15 when these things are pressed or rather press themselves, so as to drive the advocates of Colony Taxes to a clear admission of the futility of the scheme, then, Sir, the sleeping Trade Laws revive from their trance, and this useless taxation is to be kept sacred, not for its 20 own sake, but as a counter-guard and security of the laws of trade.

Then, Sir, you keep up Revenue Laws which are mischievous, in order to preserve Trade Laws that are useless. Such is the wisdom of our plan in both its 25 members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other. But I cannot agree with the Noble Lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the 30 Trade Laws For, without idolizing them, I am sure they are still, in many ways, of great use to us: and in

former times they have been of the greatest They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the Revenue Laws form 5 any security whatsoever to the commercial regulations ; or that these commercial regulations are the true ground of the quarrel , or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable The public and 10 avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions , but certainly the least bitter, and the fewest of all, on the Trade Laws To judge which of the two be the real, radical cause of quarrel, we have to see 15 whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the Trade Laws be the real cause of quarrel, it is absolutely necessary to put the 20 taxes out of the question by a repeal See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain Unless you consent to remove this cause of difference, it 25 is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures ? Surely it is pre-30 posterous at the very best It is not justifying your anger, by their misconduct , but it is converting your ill-will into their delinquency.

But the Colonies will go 'further'—Alas! alas! when will this speculation against fact and reason end? What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true, that no case can exist, in which it is proper for the Sovereign 5 to accede to the desires of his discontented subjects? Is there anything peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, discourage 15 me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated

IN forming a plan for this purpose, I endeavoured to put myself in that frame of mind which was the most 20 natural, and the most reasonable, and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities, a total renunciation of every speculation of my own; and with a profound reverence for the wisdom 25 of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

30

During the reigns of the kings of Spain of the Austrian

family, whenever they were at a loss in the Spanish councils, it was common for the statesmen to say, that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them, and the issue of their affairs showed, that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me; those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no Parliament. How far the English Parliament itself was at that time modelled according to the present form, is disputed among antiquaries. But we have all the reason in the world to be assured that a form of Parliament, such as England then enjoyed, she instantly communicated to Ireland, and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal Baronage, and the feudal Knighthood, the roots of our primitive Constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority

and English liberties had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shows beyond a doubt, that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing, and after the vain projects of a Military Government, attempted in the reign of Queen Elizabeth, it was soon discovered that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not 10 English arms, but the English Constitution, that conquered Ireland. From that time, Ireland has ever had a general Parliament, as she had before a partial Parliament. You changed the people; you altered the religion, but you never touched the form or the vital substance of 15 free government in that Kingdom. You deposed kings, restored them, you altered the succession to theirs, as well as to your own Crown, but you never altered their Constitution, the principle of which was respected by usurpation, restored with the restoration of Monarchy, 20 and established, I trust, for ever, by the glorious Revolution. This has made Ireland the great and flourishing Kingdom that it is, and from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot 25 be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to 30 prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such

times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that Kingdom Your Irish pensioners 5 would starve if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British Empire

10 My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First But though then conquered, it was not looked upon as any part of the Realm of England Its old Constitution, whatever that might 15 have been, was destroyed ; and no good one was substituted in its place The care of that tract was put into the hands of Lords Marchers—a form of government of a very singular kind, a strange heterogeneous monster, something between Hostility and Government, perhaps 20 it has a sort of resemblance, according to the modes of those terms, to that of Commander-in-chief at present, to whom all civil power is granted as secondary The manners of the Welsh nation followed the Genius of the Government, the people were ferocious, restive, savage, 25 and uncultivated ; sometimes composed, never pacified Wales, within itself, was in perpetual disorder, and it kept the frontier of England in perpetual alarm. Benefits from it to the State, there were none Wales was only known to England by incursion and invasion.

30 Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by

statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an Act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another Act, where one of the parties was an Englishman, they ordained, that his trial should be 10 always by English. They made Acts to restrain trade, as you do, and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the Statute Book was not quite so much swelled as it is now, you 15 find no less than fifteen Acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of Parliament and the use of it!—I admit it fully, and pray add likewise to these precedents, that the while, Wales rid this Kingdom like an *incubus*, that it was an unprofitable and oppressive burthen, and that an Englishman travelling in that country could not go six yards from the high road without being murdered

25

The march of the human mind is slow. Sir, it was not, until after Two Hundred years, discovered, that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did however at length open their eyes to the ill husbandry 30 of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured, and

that laws made against a whole nation were not the most effectual methods of securing its obedience. Accordingly, in the Twenty-seventh year of Henry the Eighth, the course was entirely altered. With a preamble stating  
5 the entire and perfect rights of the Crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil, the Marches were turned into Counties. But that a nation should have a right to  
10 English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous; that, Eight years after, that is, in the Thirty-fifth of that reign, a complete and not ill proportioned representation by  
15 counties and boroughs was bestowed upon Wales, by Act of Parliament. From that moment, as by a charm, the tumults subsided; obedience was restored; peace, order, and civilization followed in the train of liberty.  
When the day-star of the English Constitution had  
20 arisen in their hearts, all was harmony within and without—

25            —simul alba nautis  
                 Stella refusit,  
Defluit saxis agitatus humor;  
Concidunt venti, fugiuntque nubes,  
Et miñax (quod sic voluere) ponto  
                 Unda recumbit.

The very same year the County Palatine of Chester received the same relief from its oppressions, and the  
30 same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the

rights of others, and from thence Richard the Second drew the standing army of Archers, with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you:

5

'To the King our Sovereign Lord, in most humble wise shewen unto your Excellent Majesty the inhabitants of your Grace's County Palatine of Chester; (1) That where the said County Palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your High Court of Parliament, to have any Knights and Burgesses within the said Court, by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country (2) And forasmuch as the said inhabitants have always hitherto been bound by the Acts and Statutes made and ordained by your said Highness, and your most noble progenitors, by authority of the said Court, as far forth as other counties, cities, and boroughs have been, that have had their Knights and Burgesses within your said Court of Parliament, and yet have had neither Knight ne Burgess there for the said County Palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with Acts and Statutes made within the said Court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said County Palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting within the same.'

30

What did Parliament with this audacious address?—Reject it as a libel? Treat it as an affront to Government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn

it by the hands of the common hangman?—They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it 5 the very preamble to their Act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized 10 as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy, as religion, and not atheism, is the true remedy for superstition Sir, this pattern of Chester was followed in the reign of Charles the Second, with regard to the County Palatine of 15 Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester Act, and, without affecting the 20 abstract extent of the authority of Parliament, it recognises the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these 25 preambles, and the force of these examples in the Acts of Parliaments, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the Act of Henry the Eighth says, the 30 Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as

numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the Colonies. Is 5 America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made Fifteen for Wales. But your legislative authority is perfect with regard to America —Was it less perfect in Wales, Chester, and Durham? 10 But America is virtually represented —What! does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood, or than Chester and Durham, surrounded by abundance of representation that is actual 15 and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient 20 for those which are infinitely greater, and infinitely more remote?

You will now, Sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the Colonies in Parliament. Perhaps 25 I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura* —I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert 30 the impracticability of such a representation. But I do not see my way to it, and those who have been more

confident have not been more successful. However, the arm of public benevolence is not shortened; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another.  
5 When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged for the ways and means  
10 of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths, not to the Republick of Plato; not to the Utopia of More, not to the Oceana of Harrington. It is before me—it is at my  
15 feet, and the rude swain *Treads daily on it with his clouted shoon.* I only wish you to recognise, for the theory, the ancient Constitutional policy of this Kingdom with regard to representation, as that policy has been declared in Acts of Parliament, and, as to the practice,  
20 to return to that mode, which an uniform experience has marked out to you, as best, and in which you walked with security, advantage, and honour, until the year 1763.

My Resolutions therefore mean to establish the equity  
25 and justice of a taxation of America by grant, and not by imposition. To mark the *legal competency* of the Colony Assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a  
30 dutiful and beneficial exercise; and that experience has shown the benefit of their grants, and the futility of Parliamentary taxation as a method of supply.

THESE solid truths compose six fundamental propositions. There are three more Resolutions corollary to these If you admit the first set, you can hardly reject the others But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. 5 I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence, that, if you admitted these, you would command an immediate peace; and, with but tolerable future management, a lasting obedience in America I am not arrogant in this confident assurance The propositions are all mere matters of fact, and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine 15

Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation The first is a Resolution—

‘That the Colonies and Plantations of Great Britain in 20 North America, consisting of Fourteen separate Governments, and containing Two Millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any Knights and Burgesses, or others, to represent them in the High Court of Parliament.’ 25

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the Constitution, it is taken nearly *verbatim* from Acts of Parliament.

The second is like unto the first—

30

‘That the said Colonies and Plantations have been liable to, and bounden by, several subsidies, payments, rates, and

taxes, given and granted by Parliament, though the said Colonies and Plantations have not their Knights and Burgesses, in the said High Court of Parliament, of their own election, to represent the condition of their country, by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said Court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same'

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine It is the language of your own antient Acts of Parliament.

15 Non meus hic sermo, sed quæ præcepit Ofellus,  
Rusticus, abnormis sapiens

It is the genuine produce of the antient, rustic, manly, home-bred sense of this country—I did not dare to rub off a particle of the venerable rust that rather adorns 20 and preserves, than destroys, the metal It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly Constitutional materials Above all things, 25 I was resolved not to be guilty of tampering the odious vice of restless and unstable minds I put my foot in the tracks of our forefathers, where I can neither wander nor stumble Determining to fix articles of peace, I was resolved not to be wise beyond what was 30 written, I was resolved to use nothing else than the form of sound words, to let others abound in their own sense, and carefully to abstain from all expressions of

my own What the Law has said, I say. In all things else I am silent I have no organ but for her words. This, if it be not ingenious, I am sure is safe

There are indeed words expressive of grievance in this second Resolution, which those who are resolved 5 always to be in the right will deny to contain matter of fact, as applied to the present case, although Parliament thought them true, with regard to the Counties of Chester and Durham They will deny that the Americans were ever 'touched and grieved' with the taxes. If they 10 consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial But men may be sorely touched and deeply grieved in their privileges, as well as in their purses Men may lose little in property by the act which takes away all 15 their freedom. When a man is robbed of a trifle on the highway, it is not the Two-pence lost that constitutes the capital outrage. This is not confined to privileges Even antient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as 20 grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed, or exceedingly reduced? Were they not touched and grieved even by the regulating Duties of the Sixth of 25 George the Second? Else why were the duties first reduced to one Third in 1764, and afterwards to a Third of that Third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived Were they not touched and 30 grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for

the Ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the Colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the Noble Lord in the blue ribband, now standing on your Journals, the strongest of all proofs that Parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and Resolutions?

10 The next proposition is—

‘That, from the distance of the said Colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said Colonies.’

15 This is an assertion of a fact. I go no further on the paper though, in my private judgement, an useful representation is impossible, I am sure it is not desired by them; nor ought it perhaps by us, but I abstain from opinions

20 The fourth Resolution is—

‘That each of the said Colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the General Assembly, or General Court, with powers legally to 25 raise, levy, and assess, according to the several usage of such Colonies, duties and taxes towards defraying all sorts of public services.’

This competence in the Colony Assemblies is certain. It is proved by the whole tenour of their Acts of Supply 30 in all the Assemblies, in which the constant style of granting is, ‘an aid to his Majesty,’ and Acts granting to the Crown have regularly for near a century passed the public offices without dispute. Those who have

been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the Crown, are wished to look to what is done, not only in the Colonies, but in Ireland, in one uniform unbroken tenour every session Sir, I am surprised that this doctrine should come from some of the law servants of the Crown. I say, that if the Crown could be responsible, his Majesty—but certainly the Ministers, and even these law officers themselves, through whose hands the Acts pass, biennially in Ireland, or annually in the Colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all Presidents of the Council, all Secretaries of State, all First Lords of Trade, all Attorneys and all Solicitors General! However, they are safe; as no one impeaches them, and there is no ground of charge against them, except in their own unfounded theories

The fifth Resolution is also a Resolution of fact—

'That the said General Assemblies, General Courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal Secretaries of State, and that their right to grant the same, and their clearfulness and sufficiency in the said grants, have been at sundry times acknowledged by Parliament'

To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710, I shall begin to travel only where the Journals give me light; resolving to deal in nothing but fact, authenticated by

Parliamentary record, and to build myself wholly on that solid basis

On the 4th of April, 1748, a Committee of this House came to the following Resolution :

5    'Resolved,

'That it is the opinion of this Committee, That it is just and reasonable that the several Provinces and Colonies of Massachusett's Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the Crown of Great Britain the Island of Cape Breton and its dependencies.'

The expenses were immense for such Colonies. They were about 200,000/- sterling; money first raised and advanced on their public credit.

15    On the 28th of January, 1756, a Message from the King came to us, to this effect,

'His Majesty, being sensible of the zeal and vigour with which his faithful subjects of certain Colonies in North America have exerted themselves in defence of his Majesty's just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a proper reward and encouragement'

On the 3rd of February, 1756, the House came to a suitable Resolution, expressed in words nearly the same as those of the Message but with the further addition, that the money then voted was as an *encouragement* to the Colonies to exert themselves with vigour It will not be necessary to go through all the testimonies which 30 your own records have given to the truth of my Resolutions I will only refer you to the places in the Journals:

Vol xxviii	—June 1st, 1758—April 26th and 30th, 1759 —March 26th and 31st, and April 28th, 1760 —Jan 9th and 20th, 1761	
Vol xxix	—Jan. 22nd and 26th, 1762—March 14th and 17th, 1763	5

Sir, here is the repeated acknowledgement of Parliament, that the Colonies not only gave, but gave to satiety. This nation has formally acknowledged two things; first, that the Colonies had gone beyond their abilities, Parliament having thought it necessary to 10 reimburse them, secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement Reward is not bestowed for acts that are unlawful, and encouragement 15 is not held out to things that deserve reprehension. My Resolution therefore does nothing more than collect into one proposition, what is scattered through your Journals. I give you nothing but your own, and you cannot refuse in the gross, what you have so often acknowledged in 20 detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system The people heard, indeed, from the beginning 25 of these disputes, one thing continually dinned in their ears, that reason and justice demanded, that the Americans, who paid no Taxes, should be compelled to contribute How did that fact, of their paying nothing, stand, when the Taxing System began? When Mr 30 Grenville began to form his system of American Revenue he stated in this House, that the Colonies were then in

debt two millions six hundred thousand pounds sterling money, and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the Colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after, and at different times in different Colonies. However, the Taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No Colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the Crown, and the sense of Parliament, on the productive nature of a *Revenue by Grant*. Now search the same Journals for the produce of the *Revenue by Imposition*. Where is it? Let us know the volume and the page. What is the gross, what is the nett produce? To what service is it applied? How have you appropriated its surplus?—What, can none of the many skilful Index-makers that we are now employing, find any trace of it?—Well, let them and that rest together.—But are the Journals, which say nothing of the Revenue, as silent on the discontent?—Oh no! a child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those Journals, justified in the sixth and last Resolution, which is—

'That it hath been found by experience, that the manner of granting the said supplies and aids, by the said General Assemblies, hath been more agreeable to the said Colonies, and more beneficial, and conducive to the public service, than the mode of giving and granting aids in Parliament, to be raised and paid in the said Colonies'

This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost Rights of Legislature. You cannot assert, 10 that you took on yourself the task of imposing Colony Taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the State without wounding the prejudices of the people. Neither is it true that the body so qualified, and having 15 that competence, had neglected the duty.

The question now, on all this accumulated matter, is —whether you will choose to abide by a profitable experience, or a mischievous theory, whether you choose to build on imagination, or fact, whether you 20 prefer enjoyment or hope, satisfaction in your subjects, or discontent?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, 25 I have drawn the following Resolution, which, when it comes to be moved, will naturally be divided in a proper manner:

'That it may be proper to repeal an Act, made in the seventh year of the reign of his present Majesty, intituled, 30 An Act for granting certain duties in the British Colonies and Plantations in America; for allowing a drawback of the duties of Customs upon the exportation from this Kingdom,

of coffee and cocoa-nuts of the produce of the said Colonies or Plantations, for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in  
5 the said Colonies and Plantations—And that it may be proper to repeal an Act, made in the fourteenth year of the reign of his present Majesty, intituled, An Act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods,  
10 wares, and merchandise, at the town and within the harbour of Boston, in the province of Massachuset's Bay, in North America—And that it may be proper to repeal an Act, made in the fourteenth year of the reign of his present Majesty, intituled, An Act for the impartial administration of justice,  
15 in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults, in the province of Massachuset's Bay, in New England—And that it may be proper to repeal an Act, made in the fourteenth year of the reign of his present  
20 Majesty, intituled, An Act for the better regulating of the Government of the province of the Massachuset's Bay, in New England—And, also, that it may be proper to explain and amend an Act, made in the thirty-fifth year of the reign of King Henry the Eighth<sup>t</sup>, intituled, An Act for the Trial of  
25 Treasons committed out of the King's Dominions'

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the King's pleasure) it was passed, as I apprehend, with less regularity, and on  
30 more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the Restraining Bill of  
35 the present Session does not go to the length of the Boston Port Act. The same ideas of prudence, which

induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence and accommodation to circumstances, prevent you from taking away the Charters of Connecticut and Rhode Island, as you have taken away that of Massachuset's Colony, though the Crown has far less power in the two former provinces than it enjoyed in the latter, and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the Charter of Massachuset's Bay. Besides, Sir, the Act which changes the Charter of Massachuset's is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the Governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English Laws.

The Act for bringing persons accused of committing murder under the orders of Government to England for Trial is but temporary. That Act has calculated the probable duration of our quarrel with the Colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation, and therefore must, on my principle, get rid of that most justly obnoxious Act

The Act of Henry the Eighth, for the Trial of Treasons, I do not mean to take away, but to confine

it to its proper bounds and original intention ; to make it expressly for Trial of Treasons (and the greatest Treasons may be committed) in places where the jurisdiction of the Crown does not extend.

5 Having guarded the privileges of Local Legislature, I would next secure to the Colonies a fair and unbiased Judicature , for which purpose, Sir, I propose the following Resolution :

'That, from the time when the General Assembly or  
10 General Court of any Colony or Plantation in North America,  
shall have appointed by Act of Assembly, duly confirmed, a  
settled salary to the offices of the Chief Justice and other  
Judges of the Superior Court, it may be proper that the said  
Chief Justice and other Judges of the Superior Courts of  
15 such Colony, shall hold his and their office and offices during  
their good behaviour , and shall not be removed therefrom,  
but when the said removal shall be adjudged by his Majesty  
in Council, upon a hearing on complaint from the General  
Assembly, or on a complaint from the Governor, or Council,  
20 or the House of Representatives severally, or of the Colony  
in which the said Chief Justice and other Judges have ex-  
ercised the said offices ' .

The next Resolution relates to the Courts of Ad-  
ministry.

25 It is this .

'That it may be proper to regulate the Courts of Admi-  
ralty, or Vice-Admiralty, authorized by the fifteenth Chapter  
of the Fourth of George the Third, in such a manner as to  
make the same more commodious to those who sue, or are  
30 sued, in the said Courts, and to provide for the more decent  
maintenance of the Judges in the same '

These Courts I do not wish to take away , they are  
in themselves proper establishments. This Court is one

of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been encreased; but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a Court absolutely new. But Courts incommodi-<sup>5</sup>ously situated, in effect, deny justice; and a Court, partaking in the fruits of its own condemnation, is a robber. The Congress complain, and complain justly, of this grievance.

These are the three consequential positions I have thought of two or three more, but they come rather too near detail, and to the province of executive Government; which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unre-<sup>15</sup>pealed will be, I hope, rather unseemly incumbrances on the building, than very materially detrimental to its strength and stability.

HERE, Sir, I should close; but I plainly perceive some objections remain, which I ought, if possible, to remōve. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of Legislation as well as to Taxation.<sup>25</sup> And that the Colonies, grounding themselves upon that doctrine, will apply it to all parts of Legislative Authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority,

I answer, that *the words are the words of Parliament, and not mine*; and, that all false and inconclusive inferences, drawn from them, are not mine, for I heartily disclaim any such inference. I have chosen the words 5 of an Act of Parliament, which Mr Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood; favourable both to the rights 15 of Parliament, and to the privilege of the dependencies of this Crown? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which 20 therefore falls in exactly with the case of the Colonies. But whether the unrepresented counties were *de jure*, or *de facto*, bound, the preambles do not accurately distinguish; nor indeed was it necessary, for, whether 25 *de jure*, or *de facto*, the Legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know that the Colonies have, in any general way, or in any cool hour, gone much beyond the demand of humanity in relation to taxes. It is not fair to judge 30 of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct, or their expressions, in a state of disturbance

and imitation It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which 5 we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it This is nothing but what is natural and proper All government, indeed every human benefit 10 and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences, we give and take, we remit some rights, that we may enjoy others, and we choose rather to be happy citizens, than subtle disputants. As we must give 15 away some natural liberty, to enjoy civil advantages, so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire But, in all fair dealings, the thing bought must bear some proportion to the purchase paid 20 None will barter away *the immediate jewel of his soul* Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear, to pay for it all essential rights, and all the intrinsic dignity of human nature None of 25 us who would not risque his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our Constitution wants many improvements, to make it a complete system of liberty; perhaps none who are of that opinion would 30 think it right to aim at such improvement, by disturbing his country, and risquing everything that is dear to him

In every arduous enterprize, we consider what we are to lose, as well as what we are to gain, and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These 5 are *the cords of man*. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it, and they will rather be inclined to respect the acts of a superintending legislature; when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces · and I confess I feel not the least alarm from the discontents which are to arise from putting people at 20 their ease, nor do I apprehend the destruction of this Empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights, upon which I have always been taught to value myself

25 . It is said, indeed, that this power of granting, vested in American Assemblies, would dissolve the unity of the Empire; which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr Speaker, I do not know what this unity means, 30 nor has it ever been heard of, that I know, in the constitutional policy of this country The very idea of subordination of parts, excludes this notion of simple

and undivided unity England is the head, but she is not the head and the members too Ireland has ever had from the beginning a separate, but not an independent, legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly 5 and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect This is my model with regard to 10 America, as far as the internal circumstances of the two countries are the same I know no other unity of this Empire, than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the 15 present methods.

BUT since I speak of these methods, I recollect, Mr Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the Noble Lord on the floor, which has been so lately 20 received, and stands on your Journals I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very 25 few words. I shall compress them into as small a body as possibly can, having already debated that matter at large, when the question was before the Committee

First, then, I cannot admit that proposition of a ransom by auction.—because it is a mere project It is 30 a thing new, unheard of, supported by no experience,

justified by no analogy, without example of our ancestors, or root in the Constitution It is neither regular Parliamentary taxation, nor Colony grant *Experimentum in corpore vili*, is a good rule, which will ever make me 5 adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this Empire.

Secondly, it is an experiment which must be fatal in the end to our Constitution For what is it but a 10 scheme for taxing the Colonies in the ante-chamber of the Noble Lord and his successors? To settle the quotas and proportions in this House, is clearly impossible You, Sir, may flatter yourself you shall sit a State auctioneer, with your hammer in your hand, and 15 knock down to each Colony as it bids. But to settle (on the plan laid down by the Noble Lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth 20 and burthen, is a wild and chimerical notion This new taxation must therefore come in by the back door of the Constitution. Each quota must be brought to this House ready formed, you can neither add nor alter. You must register it. You can do nothing further For on what 25 grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the Committee of Provincial Ways and 30 Means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

Thirdly, it does not give satisfaction to the complaint

Colonies They complain, that they are taxed at their consent, you answer, that you will fix the it which they shall be taxed That is, you give the very grievance for the remedy. You tell them i, that you will leave the mode to themselves 5 ly beg pardon. it gives me pain to mention it, ou must be sensible that you will not perform this f the compact. For, suppose the Colonies were to e duties, which furnished their Contingent, upon nportation of your manufactures; you know you 10 never suffer such a tax to be laid You know, hat you would not suffer many other modes of on So that, when you come to explain yourself, it e found, that you will neither leave to themselves uantum nor the mode, nor indeed anything. The 15 is delusion from one end to the other.

urthly, this method of ransom by auction, unless universally accepted, will plunge you into great and icable difficulties. In what year of our Lord are roportions of payments to be settled? To say 20 ng of the impossibility that Colony agents should general powers of taxing the Colonies at their tion; consider, I implore you, that the commun- i by special messages, and orders between these s and their constituents on each variation of the 25 when the parties come to contend together, and plete on their relative proportions, will be a matter lay, perplexity, and confusion that never can have id.

all the Colonies do not appear at the outcry, what 30 e condition of those assemblies, who offer by them- s or their agents, to tax themselves up to your ideas

of their proportion? The refractory Colonies, who refuse all composition, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient Colonies in this scheme are heavily taxed, the refractory remain unburthened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these Colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious Colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed Colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue, to lead you out of it? I think, Sir, it is impossible, that you should not recollect that the Colony bounds are so implicated in one another, (you know it by your other experiments in the Bill for prohibiting the New England Fishery,) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling

into this confusion of all rules of equity and policy, you can restrain any single Colony, especially Virginia and Maryland, the central and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will 5 and must be trifling; and then you have no effectual revenue or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

Reflect besides, that when you have fixed a quota 10 for every Colony, you have not provided for prompt and punctual payment Suppose one, two, five, ten years' arrears You cannot issue a Treasury Extent against the failing Colony. You must make new Boston Port Bills, new restraining laws, new Acts for dragging men 15 to England for trial. You must send out new fleets, new armies All is to begin again. From this day forward the Empire is never to know an hour's tranquillity An intestine fire will be kept alive in the bowels of the Colonies, which one time or other must 20 consume this whole Empire I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents, but the revenue of the empire, and the army of the empire, is the worst revenue, and the worst army, in the world.

25

Instead of a standing revenue, you will therefore have a perpetual quarrel Indeed the Noble Lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion His project was rather designed for breaking the union of the Colonies, than 30 for establishing a revenue He confessed, he apprehended that his proposal would not be to *their taste*.

I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble Lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be; as I propose the peace and union of the Colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

COMPARE the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild, that harsh. This is found by experience effectual for its purposes, the other is a new project. This is universal, the other calculated for certain Colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people, gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tried you by a long discourse, but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risque a proposal of my

own. If I cannot give peace to my country, I give <sup>it</sup> to my conscience

But what (says the Financier) is peace to us without money? Your plan gives us no Revenue No! but it does—For it secures to the subject the power of REFUSAL, the first of all Revenues Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of Revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 11 2<sup>3</sup>/4ths, nor any other paltry limited sum—But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom *Posita luditur arca* Cannot you, in England, cannot you, at this time of day, cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140 millions in this country? Is this principle to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the Colonies? Why should you presume, that, in any country, a body duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that, besides the desire which all men have naturally of supporting the honour of their own government, that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community Most may be taken where most is accumulated

And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world?

Next we know, that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the Gamesters, but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that Government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. '*Ease would retract  
Vows made in pain, as violent and void.*'

I, for one, protest against compounding our demands. I protest against compounding for a poor limited sum, the immense, ever-growing, eternal Debt, which is due to generous Government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the Colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude your-

selves—you never can receive it—No, not a shilling We have experience that from remote countries it is not to be expected If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition , what can you expect 5 from North America? For certainly, if ever there was a country qualified to produce wealth, it is India , or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes If America gives you taxable objects, on which you lay 10 your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue But with regard to her own internal establishments , she may, I 15 doubt not she will, contribute in moderation I say in moderation ; for she ought not to be permitted to exhaust herself She ought to be reserved to a war , the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. 20 There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British Constitution. My hold of the Colonies is in the close affection which grows from common names, from kindred 25 blood, from similar privileges, and equal protection These are ties, which, though light as air, are as strong as links of iron. Let the Colonists always keep the idea of their civil rights associated with your Government,— they will cling and grapple to you , and no force under 30 heaven will be of power to tear them from their allegiance But let it be once understood, that your government may

be one thing, and their Privileges another, that these two things may exist without any mutual relation ;<sup>5</sup> the cement is gone, the cohesion is loosened, and every-  
thing hastens to decay and dissolution. As long as you  
have the wisdom to keep the sovereign authority of this  
country as the sanctuary of liberty, the sacred temple  
consecrated to our common faith, wherever the chosen  
race and sons of England worship freedom, they will  
turn their faces towards you. The more they multiply,  
the more friends you will have; the more ardently they  
love liberty, the more perfect will be their obedience.  
Slavery they can have anywhere It is a weed that  
grows in every soil. They may have it from Spain, they  
may have it from Prussia But, until you become lost  
to all feeling of your true interest and your natural  
dignity, freedom they can have from none but you.  
This is the commodity of price, of which you have the  
monopoly. This is the true Act of Navigation, which  
binds to you the commerce of the Colonies, and through  
them secures to you the wealth of the world. Deny  
them this participation of freedom, and you break that  
sole bond, which originally made, and must still preserve,  
the unity of the Empire. Do not entertain so weak an  
imagination, as that your registers and your bonds, your  
<sup>25</sup> affidavits and your sufferances, your coquets and your  
clearances, are what form the great securities of your  
commerce. Do not dream that your letters of office,  
and your instructions, and your suspending clauses, are  
the things that hold together the great contexture of  
<sup>30</sup> the mysterious whole. These things do not make your  
government Dead instruments, passive tools as they  
are, it is the spirit of the English communion that gives

all their life and efficacy to them. It is the spirit of the English Constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member

5

Is it not the same virtue which does everything for us here in England? Do you imagine then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people, it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution—which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us, a sort of people who think that nothing exists but what is gross and material, and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth every thing, and all in all. Magnanimity in politicks is not seldom the truest wisdom, and a great empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our situation and ourselves, we ought to auspicate all our

public proceedings on America with the old warning of the Church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By advertising to the dignity 5 of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive, and the only honourable conquests, not by destroying, but by promoting the wealth, the number, the happiness, of the human race. Let us get an American 10 revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now 15 (*quod felix faustumque sit*) lay the first stone of the Temple of peace, and I move you,

'That the Colonies and Plantations of Great Britain in North America, consisting of Fourteen separate governments, and containing Two Millions and upwards of free inhabitants, have not had the liberty and privilege of electing 20 and sending any Knights and Burgesses, or others, to represent them in the High Court of Parliament.'

[Upon this Resolution, the previous question was put, and carried,—for the previous question 270, against it, 78

25 The first four motions and the last had the previous question put on them. The others were negatived.]

## CONCILIATION WITH AMERICA

### ANALYSIS OF THE SPEECH

Introduction Fluctuations of opinion about the Colonies; consistency of Burke's own principles [pp 3, 4] Called upon to formulate a scheme for reconciliation [pp 5, 6] Nature and principles of the scheme proposed. Practicability of conciliation and concession [pp 7-10]

Review of the Condition of America Expansion of the Colonies in population and commerce [pp 11-17]. Agriculture and Fisheries [pp 17-19] Digression on the futility of Force as a remedy [pp 19-21] The American Character inherited devotion to Liberty [pp 21-24] and Puritan ideals [p 24] Effect of slaveholding [p 25] Influence of their legal training [p 26] Effect of distance [pp 27, 28]

Problem of dealing with such a People; failure of past experiments [pp 29-31] The three conceivable courses of Action to alter the conditions, coercion, concession [p. 32] Alteration, by restriction of growth [pp. 33-35], by enfranchisement of slaves [pp 36, 37] Coercion [pp 37-41] Concession The Right of Taxation is beside the question [pp 41-44] Contradictions of the Ministerial attitude [pp 44-47] Precedents of Ireland [pp. 48-50], Wales [pp. 50-52], Chester [p 53] and Durham [p 54] The practical application [pp 54-56]

The six fundamental propositions of fact [pp 57-65] The three Resolutions of Action [pp 65-69] Objections dealt with [pp 69-73]. Criticism of North's "ransom by auction" [pp. 73-78] Comparison of the two methods [pp. 78-81]. Peroration [pp 81-84].



## NOTES.

The speech on American Taxation was made in the course of debate, in support of a motion introduced by Rose Fuller. This, on Conciliation, opened a debate, introducing a series of Resolutions. A certain difference of manner is therefore intentional. In the previous speech, it was of importance to get promptly to close quarters: to rouse Members who were beginning to feel the thing monotonous; to force keen and alert attention from the outset. Here, the minds of Members have first to be brought, so to speak, into tune, the way has to be prepared for the controversial or debating oration. Therefore the introductory matter is much more prolonged and altogether ceremonious.

### PAGE 3.

6 to superstition inclined, that is, to be heedful of omens.

8 the grand penal Bill "The Act to restrain the Commerce of the Provinces of Massachusetts Bay and New Hampshire, and Colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations." (Footnote to the original text)

22 incongruous mixture, etc : Burke does not mean that coercion and restraint are incongruous with each other, but that they form an incongruous mixture with conciliation. At the close of the speech on Taxation—published not three months before—he had spoken of the danger of spoiling the good effect of a measure of Repeal by joining it with measures of "restraint and coercion" (see p 71) The same danger would have occurred if the Resolutions he was now proposing should be accompanied by a new measure of restraint and coercion. As this latter Bill was returned by the Upper House, the Commons were under no necessity of passing it and thereby spoiling the effect of the Resolutions.

## PAGE 4

2 When I first in the Rockingham Ministry. Burke made his maiden speech in the House on Jan 14, 1766, in the Debate on the Address, which foreshadowed the Repeal of the Stamp Act. The Repeal was subsequently carried by 275 to 161.

## PAGE 5

14 the beginning of the Session there had been a general election in Sept. 1774 but the active business of the session had not begun till January

15 a worthy Member Rose Fuller, who had brought forward the motion in support of which Burke had delivered the Speech on American Taxation.

20 our former methods the methods, that is, formerly adopted by the Opposition.

## PAGE 6

5 platform of the ground: plan of the ground Cf Bacon. "I have made a platform of a princely garden" The phrase is to be distinguished from the modern use of the term *platform*= programme, the "planks" on which the orator takes his stand.

13 into *sic* "gave in to" is however evidently the correct form, "give in" being a single phrase.

20. disreputably. to the injury of the speaker's reputation. Burke does not mean that the speaker is guilty of what we mean by "disreputable" conduct.

## PAGE 8.

4. unsuspecting confidence, etc This phrase was used by the Philadelphia Congress in 1774 Burke repeats the reference three years later in the "Letter to the Sheriffs of Bristol," and dwells upon it with emphasis This unsuspecting confidence, the Congress said, had been restored by the Repeal of the Stamp Act, the implication of course is that the policy of which that Repeal was then the expression is now to be revived

10 Refined policy cf. *American Taxation*, p 67, line 11. "This fine-spun scheme had the usual fate of all exquisite policy"

22 the Project Lord North's Conciliatory Proposals, which were actually forwarded to the Colonies, to be rejected, not without contempt. The original text gives the Resolution in a footnote It was passed on Feb. 27, three weeks before Burke's present

speech—"That when the Governor, Council, or Assembly, or general Court, of any of His Majesty's Provinces or Colonies in America shall propose to make provision, according to the condition, circumstances, and situation, of such Province or Colony, for contributing their proportion to the Common Defence (such proportion to be raised under the Authority of the General Court, or General Assembly, of such Province or Colony, and disposable by Parliament), and shall engage to make provision also for the support of the Civil Government, and the Administration of Justice, in such Province or Colony, it will be proper, if such Proposal shall be approved by his Majesty, and the two Houses of Parliament, and for so long as such Provision shall be made accordingly, to forbear, in respect of such Province or Colony, to levy any Duty, Tax, or Assessment, or to impose any further Duty, Tax, or Assessment, except such duties as it may be expedient to continue to levy or impose, for the Regulation of Commerce; the nett produce of the Duties last mentioned to be carried to the account of such Province or Colony respectively" This Resolution forms the text of several sarcastic references in the course of the speech. towards the close of which Burke subjects it to a very severe criticism.

23. in the Blue Ribband: the Riband of the Order of the Garter, of which North became a member in 1772. Walpole was the only previous Knight of the Garter in the House of Commons

It does not propose Burke later explains how and why there would be various results of the Resolution if an attempt were made to give it practical effect.

#### PAGE 9.

14. That right thus exerted, etc · that is, Lord North's Resolution implies that the methods at present in force do give grounds for complaint which are not altogether without justification It does so, by suggesting that some alteration should be made in those methods, it does so very emphatically, inasmuch as the alteration it actually puts forward is a radical change from anything hitherto attempted. A scheme so novel and so unprecedented could not have been proposed on any trivial pretext.

#### PAGE 10

17. Indeed, Sir. the remainder of this paragraph is a clear exposition of the leading principle of Burke's political theory—that as a practical matter it is the business of the statesman to treat

affairs, not in the abstract, but as they are affected by external circumstances and conditions which have a positive existence. He has to make the best he can out of imperfect and limited materials; if he ignores the limitations, disaster must follow.

## PAGE 11

<sup>2</sup> the number Burke's computation is in exact agreement with that of the American historian Bancroft, which shows also that both the white and the black populations in America were doubling themselves in about twenty-five years.

<sup>27</sup> occasional: i.e. adapted to the moment, without consideration for the future. Cf p. 5, line 12, "occasional arguments and temporary expedients."

<sup>29</sup> Minima: alluding to the maxim *De minimis non curat lex* the law does not take what is insignificant into consideration.

## PAGE 12

<sup>14</sup> a distinguished person. Richard Glover. He was a commercial gentleman of high standing, who achieved a considerable reputation as a poet by his *Leonidas*, an epic poem.

<sup>15</sup> Thirty-five years: 1739, the year in which Walpole was forced to declare war against Spain—the war known as that of "Jenkins's Ear." Perhaps Burke was thinking of Glover's appearance in the House in 1742, as a representative of a group of merchants who presented a complaint in that year.

## PAGE 13

<sup>12</sup> Davenant: Charles Davenant. He was something of an economic authority during the reigns of William and Anne, being appointed Inspector-General of exports and imports in 1705.

<sup>16</sup>. The African. is included as Colonial, as being connected almost exclusively with the Slave Trade, which had its terminus in the Colonies.

## PAGE 14

<sup>8.</sup> from Scotland before the Treaty of Union in 1707 Scottish trade was terribly hampered by not being on the same footing with that of England. The abolition of this inequality by the Union gave an immense impulse to Scottish trade

<sup>12.</sup> twelve-fold the arithmetician will perceive that this is a slight overstatement. The increase is not quite eleven-fold, and omitting Scotland, a trifle under ten-fold.

## PAGE 15

Our general trade—the general trade, exclusive of the Colonies, had not quite doubled, including the Colonies, it had almost trebled. The actual (not only the relative) increase of Colonial trade had been greater than the actual increase of all the rest.

27 Lord Bathurst the aged Earl of Bathurst was now, <sup>Fact</sup> ninety. Born in 1684, he was twenty at the date of which Burke speaks, and entered Parliament only a year afterwards; was associated for many years with prominent men of letters, from Congreve to Sterne; was raised to the peerage in 1722, and received an Earldom forty years later. His son—Baron Apsley at the time of Burke's speech—was Lord Chancellor, having succeeded Yorke in that office after an interval in 1771. The old Earl died during 1775, and Lord Apsley became Lord Bathurst.

## PAGE 16

3. in the fourth generation. George III was the grandson of George II the representative of the third generation—"Fred, Who was alive and is dead"—died before his father

7 was to be made by the Union in 1707

22 taste of death. for the phrase of *Julius Caesar*, "The valiant never taste of death but once."

## PAGE 18.

15. at your bar. by Glover, speaking at the bar of the House.

16. your envy. the concession of the Whale Fishery to the Americans was one of the few benefits owed to George Grenville. It would appear that when the matter was "opened" by Glover at the bar of the House ten years later, the House was inclined to cavil, instead of being pleased.

25 Hudson's Bay named after Henry Hudson, who explored it in 1607. It had actually been reached by Sebastian Cabot ninety years before Davis's Straights: discovered by John Davis in 1585.

27 they have pierced the English whaleis were not long in following their American cousins ships were sent in the course of this year

29 the frozen Serpent a constellation within the Antarctic Circle, known as Hydus or the Water-Serpent.

Falkland Island a group, discovered by the Elizabethans, but not occupied till 1763, when the French established themselves at Port Louis. They were regarded as of no account till they acquired a value in connexion with the southern Whale Fishery.

## PAGE 20.

'complexions' temperaments.

29 whole America America hale and whole, not "depreciated, sunk, and wasted"

32 a foreign enemy this was precisely what happened After the war with the Colonists had lasted for three years, from 1775 to 1778, France joined in, and a year later Spain followed suit. But for the achievements of Rodney and Hood in the West Indies, the position won for Britain by Pitt in the great naval war would have been immediately lost.

## PAGE 22

8 when this part this applies more particularly to the Puritan colonies—New England and others—established from 1620—1636 by Englishmen whose non-conformity was made a burden to them in the Mother Country

18 freedom Taxing: this is very generally true From the time of the Edwards at least, the Parliaments, on whatever other points they might give way, never failed to maintain their right to control the purse-strings But it was the question of religion, not of taxation, which drove the Pilgrim Fathers to America When the taxing business came up, the Puritans did not emigrate—they fought But then they were no longer an oppressed minority they were part of a majority. The spirit actuating them was the same in both cases In effect, the Colonials were at any rate in large part the descendants of the Parliament men, and derived their theories of liberty from them.

## PAGE 23

31 merely popular exclusively popular. This applies practically to the whole northern group, the New England Colonies and New York The least democratically constituted were the five southern or royal Colonies But in essence, all the Governments were popular, self-controlled.

## PAGE 24

If anything were wanting the character of their religion is the third factor forcing the Americans to be lovers of liberty—the first being their descent from the devotees of liberty, the second those popular institutions which foster it It should be noted however that while the northern group were mainly populated by Calvinistic sectarians, and Pennsylvania was of ~~Quaker~~ origin, Maryland was largely Roman Catholic, and the southern group were for the most part Church of England. Still the temper almost everywhere was Protestant if not Puritan, a fact very recently exemplified by the indignation aroused by the Quebec Act, intended for the relief of the French Catholics in Canada.

## PAGE 25

14 Sir, I can perceive so far as this third factor does not apply to the Southern Colonies, the lack of it is compensated by the special inducements to political self-assertion which characterises all slave-owning corporations or polities The slave-owner is, for himself, of all men the most liberty-loving

28 as broad, etc. *Macbeth*, "As broad and general as the casing air"

## PAGE 26.

7 Gothick our ancestors—Angles, Saxons, Jutes, or Danes—were akin to the Goths, but not to be identified with them.

8 the Poles until the decade in which Burke was speaking Frederick of Prussia had just accomplished his scheme of partitioning Poland, and the old Polish constitution was no more (1772)

f2. another circumstance. the fifth factor—education

## PAGE 27.

4 my Honourable Friend. Thurlow, at this time Attorney-General He became Baron Thurlow and Lord Chancellor in succession to Lord Bathurst (Apsley).

11. *Abeunt studia in mores* Ovid, *Heroid* Their studies issue upon, take effect on, their practices

•21 The last cause the sixth factor—distance from the external controlling power The force of this is in fact somewhat difficult to realise, with our rapid communications In Burke's day it took as long to communicate by post with Edinburgh as it does now to do so with Washington "Events passed while correspondence

that would now be settled by a couple of telegrams was occupying months before the reply to a dispatch was received, the conditions under which the dispatch had been written might be completely altered "

29 winged ministers of vengeance ships of war, likened to the eagle represented as grasping the lightnings of Zeus in its pounces or talons, the *ministrum fulminis alitem* of Horace (*Odes*, IV. I)

PAGE 29.

13 with ~~as~~, etc.: *Hamlet*.

31. derived. seemed to derive, since apparently it was in the power of the Crown to suspend the activities of the Assemblies by suspending the Assemblies themselves.

PAGE 30

10 Some provinces notably Massachusetts and Virginia. On June 1st, 1774, Lord Dunmore, the Governor of Virginia, dissolved the "House of Burgesses" They assembled again on their own responsibility The same thing happened in Massachusetts The result of the deliberations of these Assemblies was the calling of a General Continental Congress at Philadelphia in September In October the Massachusetts Assembly was called by the Governor, who however then countermanded the writs for the elections. Nevertheless, the elections were held. The Assembly met. the Governor ignored it The Assembly resolved itself into a Provincial Congress, and proceeded to form a Committee of public safety to organise military measures, and a Committee of supplies. The instructions issued were obeyed implicitly.

16. Lord Dunmore: the Governor of Virginia

PAGE 31.

•3 we abrogated not with a view to introducing anarchy Under the Charter, the Council, judges, and other officials were appointed by the Assembly when the Charter was abrogated, the power of making these appointments was revoked to the Governor But nearly the whole of the Council so appointed refused office, or if they accepted resigned immediately and the judges were not allowed to sit. The result would have been anarchy, but the public acknowledged instead the authority of the Assembly which was not legal but was perfectly effective.

## PAGE 33

Apalachian more familiarly known as the Alleghenies.

## PAGE 36

1 burn their books like the Ephesians, Acts xix 19, "Many of them also which used curious arts brought their books and burned them before all men."

8. chargeable: costly.

## PAGE 37

13. Ye gods, etc. cited as a typical piece of rhodomontade by Martinus Scriblerus, from whom Buile doubtless borrowed it.

## PAGE 38

8 Sir Edward Coke the famous lawyer, who was Attorney-General in 1603, conducted the case against Sir Walter Raleigh, who was charged with treason in connexion with what were called the Main and Bye Plots, the object of which was to set Arabella Stuart on the throne in place of James I. It may be remarked that "to apply the ordinary ideas of criminal justice to this great contest" would not have involved the adoption of Coke's methods, which no modern advocate would attempt to emulate. This is the style in which the Attorney-General addressed the prisoner — "Nay, I will prove all. thou art a monster; thou hath an English face but a Spanish heart"—"You are the absolutest traitor that ever lived"—"All that he did was by thy instigation, thou viper; for I 'thou' thee, thou Traitor." According to all modern English views, the evidence produced against Raleigh was quite worthless nevertheless he was condemned.

31. ex vi termini. from the very meaning of the term,

## PAGE 40

17 had addressed. i.e. presented an address.

## PAGE 42

3 startle. start.

• 22. Serbonian bog: *Paradise Lost*, II, 592 Cf Herodotus, III. 5. "From Ienysus as far as the lake Serbonis, near which Mount Casius stretches to the sea, belongs to the Syrians and from the lake Serbonis, in which Typhon is reported to have been concealed, Egypt begins." Damietta is now called Damietta.

## PAGE 43

10. unity of spirit the phrasing is suggested by 1 Cor xii 4-6, "Now there are diversities of gifts, but the same Spirit. And there are differences of administrations, but the same Lord. And there are diversities of operations, but it is the same God which worketh all in all."

11. million. so "hundred" and "thousand" do not take -s in the plural. It has now, however, become customary to write "millions."

## PAGE 44.

24. a Gentleman. George Rice, a respectable gentleman, who had at this time been sitting in the House for twenty consecutive years

## PAGE 45

29. the pamphlet. Dean Tucker's pamphlet, before alluded to, p 56, line 13.

## PAGE 47.

31. of the Austrian family: the House of Habsburg. On the death of Ferdinand the Catholic, King of Aragon, in 1516, his grandson—who became the Emperor Charles V—succeeded. Being already King of Castile, he was now Charles I of Spain. The Spanish succession came to him in right of his mother Joanna, his father (Philip I of Castile) being the son of the Habsburg Emperor Maximilian. The line ended with Charles II in 1700. The great war of the Austrian succession followed, resulting in the recognition as King of Spain of the Bourbon prince Philip, grandson of Louis XIV of France. Philip II, the great antagonist of Elizabeth of England, died in 1598. The period to which Burke refers, therefore, might be otherwise expressed as "throughout the seventeenth century."

## PAGE 48.

13. Ireland. the first example to show that the condition of successful government is the concession of constitutional liberties. Ireland was nominally "conquered" by Norman adventurers from England in the reign of Henry II. But though they established themselves in various parts of the country, most of them became "more Irish than the Irish," the Fitzurses translating their name into Erse as McMahons, the De Burghs becoming Burkes, and so on. Government on English analogies only extended over the district known

as "the Pale," consisting only of Dublin and the nearest counties elsewhere, the great chiefs or barons, though recognising the overlordship of the English Crown, ruled mainly in accordance with the traditional native Irish system.

25. *Magna Charta*, etc. the Great Charter of King John certainly did not give us a House of Commons. That institution is generally described as having first taken shape in the following reign of Henry III, at the instance of Simon de Montfort, though the Commons had occasionally been consulted after a fashion before that date.

## PAGE 49

2 Your standard, etc i.e you would not control beyond the limits within which you had extended privileges.

3 Sir John Davies (more correctly Davies) in a tract of 1612, *Discoverie of the true Causes why Ireland was never entirely subdued until the beginning of His Majestie's happy reign*—i.e. until James I had instituted the policy of conciliation after Tyrone's rebellion Davies was appointed Solicitor-General for Ireland in 1603, and studied the country carefully. He is also known as a poet, chiefly through a poem called *Nosce teipsum*.

7 in the reign of Queen Elizabeth throughout the Tudor period, efforts to govern Ireland by recognising the authority of the great chiefs alternated with attempts to enforce English law at the point of the sword, but always with insufficient troops. In Elizabeth's reign, the latter plan was varied by permitting Englishmen to plant "colonies," large grants of land being made in which the colonists had practically a free hand.

20 usurpation i.e under the Commonwealth

23 that it is Ireland, however, was by no means content with its condition, which was still one of excessive subordination.

## PAGE 50 .

5 no other fund i.e the funds providing for the Irish pensioners were provided by the vote of the Dublin Parliament.

10 Wales even in the time of the Saxons the English kings attempted to enforce their overlordship on Wales, and one after another of the Norman kings attempted to subdue it. This feat was virtually accomplished by Edward I, who broke the power of the great prince Llewellyn, and gave his own son the title of Prince of Wales. The country, however, was never in complete

subjection during the next two hundred years, at the end of which Henry Tudor, a Welshman on the father's side, ascended the English throne

17 **Lords Marchers** an institution much earlier than Edward I. In effect they were military governors with absolute power in their own districts. They had not, however, been rulers of all Wales, but of the Welsh Marches

PAGE 51.

22 incubus nightmare.

PAGE 52

3 Twenty-seventh year 1535

22 simul alba nautis. Horace, *Odes*, I xii. 27.

28 The very same year. 1543

**County Palatine** in these Counties, their respective rulers had royal rights. They were instituted primarily as being districts in which the danger of invasion made it necessary to give the earls exceptional powers of action, being open to attack either from Wales (like Chester) or from Scotland (like Durham). Thus Chester had its own legislature, but this was subordinate to the national Parliament in which it was unrepresented.

PAGE 53.

1. **Richard the Second** the Palatinate of Chester was in the hands of the Crown. That of Durham remained with the Bishop till 1836

7 shewen the then surviving form of the 3rd person plural.

13 disherisons. disinheritments

PAGE 55

5. a tenth part see *supra*

11 virtually i.e. it was argued that American opinion was able to exercise so much influence as to be equivalent to representation

—7 **Opposuit natura.** Burke breaks off, assuming that the quotation was so well known that it was needless to complete it. He would hardly have ventured to make that assumption in the House of Commons to-day. The quotation is from Juvenal, x 152, of Hannibal's invasion of Italy

“Opposuit natura Alpemque nivemque”

Hannibal removed the barriers

Diducit scopulos, et montem rumpit acetum.”

Burke professes himself unable to do so

## PAGE 56

is not shortened: "Behold, the Lord's hand is not shortened, that it cannot save," Isaiah lix 1

12 imaginary commonwealths. the three cited belong to two quite different classes. The Republic of Plato is an ideal built up as being logically the best conceivable form of State, but one which could by no possible means be actualised, the Utopia ~~dis~~ rays such a State as might be imagined to have come into being in a remote corner of the world. The Oceana was intended to suggest an actual, practical working model. Neither Plato nor More, if they had had the opportunity of founding a colony, would have attempted to give it the form of the Republics they imagined. Harrington probably would

15 Treads daily on it the correct quotation runs "treads on it daily," Milton, *Comus*, 633. Burke implies that he has a remedy as effective as the wondrous herb haemony.

## PAGE 57.

7. temple of British concord a reference to one of those temples erected in Rome and dedicated to "Concord," of which the first was raised by Camillus to celebrate the reconciliation between Patricians and Plebeians after the episode of the Licinian Rogations

13 such facts as draw conclusions a rather curious expression. Facts involve or convey conclusions, it requires an intelligent agent to draw conclusions from facts.

## PAGE 58

15 Non meus. Horace, *Sat* II. II. 2 The Latin text has *Nec meus hic sermo est*

21. profanation the reference here is to Exodus xx 25, "And if thou wilt make me an altar of stone, thou shalt not build it of hewn stone; for if thou lift up thy tool upon it, thou hast polluted it."

23 the ingenuous and noble roughness. Burke was evidently thinking of Juvenal, III. 18-20

"Quanto praestantius esset  
Numen aquae, uridi si margine clauderet undas  
Herba, nec ingenuum uiolarent marmora tophum."

26 in the tracks a rendering of the old phrase *stare super antiquis vias*

30 the form of sound words 2 Tim 1 13, "Hold fast the form of sound words, which thou hast heard of me"

## PAGE 59

~~25~~ the Sixth of George the Second the Act of the 6th year of George II, 1733

## PAGE 60

5. the resolution: Lord North's resolution, passed three weeks before See note on the *Project*, p. 86, line 22

33 Those who have been pleased e.g. George Grenville. Cf *American Taxation*, p 42 "He was of opinion, which he has declared in this House an hundred times, that the Colonies could not legally grant any revenues to the Crown, and that infinite mischiefs would be the consequence of such a power."

## PAGE 61

7 I say, that, etc the sentence is intentionally elliptical. The full construction would be, "his Majesty would be, but certainly the Ministers are in an habitual course," etc

## PAGE 62.

11. Cape Breton one of the captures of French territory effected in the French war of 1744—1748. Conquests in America and India were mutually restored under the Peace of Aix-la-Chapelle towards the close of 1748.

## PAGE 71

4 illation inference.

20 purchase=purchase-money—a curious use of the word.

21 the immediate jewel *Othello*, III. 3. 156,

"Good name in man and woman

Is the immediate jewel of their souls"

22. Though a great house, etc slaves may be proud of being attached to a magnificent establishment, but it is not worth while to barter freedom for an externally gorgeous servitude

## PAGE 72

5. the cords of man Hosea xi 4, "I drew them with cords of a man, with bands of love"

## PAGE 73

30 ransom by auction see the text of Lord North's resolution in the note on *the Project*, p 86 The scheme was that any colony offering a contribution to the revenue which the home Parliament regarded as adequate should be relieved from all British taxes for revenue purposes. Burke's phrase of course implies that relief would be given only to the highest bidders

## PAGE 75

30 the outcry the opening of the auction

## PAGE 77

13 a Treasury Extent a writ for the valuation of property to satisfy a Crown debt

## PAGE 79.

14. Posita luditur arca Juvenal, I 90, of gamesters who play staking all their possessions

## PAGE 80.

20. Ease would retract, etc *Paradise Lost*, IV 90 "Retract" is a slip for "recant"

24. the immense Debt From the same speech of Satan:  
"The debt immense of endless gratitude,  
So burthensome, still paying, still to owe"

## PAGE 81

Bengal: on the occasion referred to p 14, line 9, where see note on the East India Company.

27. light as air. *Othello*, III iii. 323,  
"Trifles light as air  
Are to the jealous confirmations strong  
As holy writ."

## PAGE 83

8. Land Tax Act the Land Tax contributed a very much larger share to the revenue than it does at the present day, amounting to about one-third of the whole.



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